Anarchia Anglicana:

OR, THE

HISTORY

OF

INDEPENDENCY.

THE SECOND PART.

BEING

A continuation of *Relations* and *Observations* Historicall and Politique upon this present PARLIAMENT, Begun *Anno* 16.

CAROLI PRIMI.

By THEODORUS VERAX.

PSALM. 8. 8.

Virum sanguinum & dolosum abominabitur Dominus.

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In the 103. *Page, in the Catalogue of those Persons who did actually sit upon the Tryall of King* CHARLES *the First. These following Names are omitted, who ought to have been inserted.*

William Say, *Esquire*,
Col. Math. Thomlinson.
John Blackston.
Gilb. Millington.
Abraham Barrell.
Col. Jo: Downes.
Master Norton.
L. Gen. Tho: Hammond.
Nich: Love.
Vincent Potter.
Augustine Garland.
Sir Miles Lyvesey.
Jo: Dixwel.
Simon Mayne.
Daniel Blagrave.
Col. Robert Lylborne.
Col. Rich. Deane.
Col. Huson.
L. Col. W. Goffe.
Master Carewe.
Jo: Ioanes.

TO

TO THE READER.

READER, having ſpoken to thee in the *Firſt Part*, I might have forborne thee in this *Second*, did I not feare to ſeem guilty of the ſullenneſſe & malignity of theſe times. The ſubject-matter of my Booke is a Combination or Fraction of *Pſeudo-Politians*, and *Pſeudo-Theologitians*, *Hereticks* and *Schiſmaticks*, both in Divinity and Policy; who, having Sacrificed to their Francies, Luſts, Ambition and Avarice, both their God and Religion, their King and Countrey, our Lawes, Liberties & Properties, all duties Divine and Humane, are growne ſo farre in love with their proſperous Sinnes, as to entitle God himſelfe to be Father and Author of them from whoſe written Word & revealed will held forth to us in the Scriptures as the onely North Pole and Cynoſure of our Actions (where they find no warrant for their doing) the appeale to the ſecret will and Providence of God, to which they moſt Turkiſhly and Heathenishly aſcribe all their enormities, only becauſe they ſucceed: and, from that abyſſe of Gods Providence, draw ſecondary Principles of Neceſſity and Honeſt intentions, to build the *Babel* of their confuſed Deſignes and Actions upon; not conſidering that wicked Men performe the ſecret will of God to their Damnation; as good Men doe the known will of thir Father to their Salvation. If a Man lie ſick to death, and his Sonne wish him dead, this is ſinne in the Sonne, although his deſire concurre with the ſecret will of God; becauſe the Sonne ought to deſire the perſervation of his Fathers life; whereto the will of God revealed in his word obligeth him: and, *vivendum*

secundum Præcepta, non secundum Decreta Dei; The secret will and providence of God can be no rule and law of our actions, because we know it not, nor can search into it without presumption: We must not therefore, *altum sapere*, thinke our selves too wise and well gifted to tie our selves to the Scripture of God; & lust after Revelations and Inspirations; exspecting God should raine Bread from Heaven for us, (*Manna*, *Exod.* 16, 4.) but be wise unto sobriety. But, *prosperum scelus, virtus vocatur*: Thus casting off the written word of God (unlesse where by an enforced interpretation they can squeeze Atheisme and Blasphemy out of it (as they doe sometimes rack Treason, Murder, and Nonsense ont of our Lawes and Parliament-priviledges) conducible to their ends, they insensibly cast off God himselfe, and make themselves both the supreme cause and finall end, the *Alpha* and *Omega* of all their doings, whilst they use the Hidden & unsearchable Providence of God but as a Disguise and Visard to Maske under, like *Cælius* the Atheist in *Martial*. Prosperity is become a snare to them, and a Topick place out of which they draw Arguments to satisfie themselves there is no God, no Religion, but a prudentiall one to foole the People with.

Nullos esse Deos, inane Cœlum,
Affirmat Cœlius, probatque,
Quòd se videt, dum negat hæc, beatum.

But O wretched unholied men! What are they that thus commit Burghlary in the *Sanctum Sanctorum* of Gods Providence? That presume, not onely to prie into but to thrust their hands polluted with blood and rapine into Gods mysterious Arke? Thus much for the subject matter. For the manner of my writing, I confess, as to the style, it is not *aquabile scribendi Genus*, all of one weaving and contexture: It is a History writ with a Satirique style and veyne:

——— Nam quis iniqui,
Tam patiens urbis, tam ferreus ut teneat se?

It

It is a virtue to hate and proſecute vice. The Scripture tells us, *there is a perfect hatred, a Holy Anger.* And our *Chaucer* tells us, *The words muſt be of kynne unto the deeds:* otherwiſe, how can they be expreſſive enough? I deteſt *vitia pulcherrimè mangonizata:* vice trik'd up in virtues rayment; and proſtituted under her modeſt dreſſe to ſtirre up Adulteres, *quicquid agunt homines noſtri eſt farrago libelli.* A huge Gallymaufry, an *Oglio* of all villanies I here ſet before thee: it cannot be all of one dreſſing and ſeaſoning, it muſt be a mixture, a *Hogo* of all Relishes; like *Manna* in the Wilderneſs, it muſt be applicable to all Palates: wherefore according to the variety of every preſent ſubject-matter, *vel ridenti rideo, vel flenti fleo,* I become all things to all Men, I aſſimilate my affections and humors to every Mans humor as well as to the preſent Theme; that I may take every Man by the right hand and lead him out of this *Vr* of the Chaldeans, this Land of *Ægypt*, this Houſe of Bondage in judgment and conſcience, though not in perſon and eſtate: which muſt onely be the mighty handy-work of that God who is able to divide the Red Sea, and give us a ſafe march through it upon drie Land.

Which that he would vouchſafe to doe let us all joyne our hearty prayers: and that we may inſtrumentally ſerve him in it, let us all joyne our heads, hearts and hands together, ſince God neglects faint-hearted and cowardly prayers: Let us not lie in the Ditch and crie, *God help us.* But let us help God to help us; and keep *cor unum, viam unam,* in the doing of it.

The Ordinance passed 20. Aug. 1647. To null and voyd all Acts, &c. passed under the force of the Apprentices.

Die Veneris 20. Aug. 1647.

An ordinance for Declaring all Votes, Orders, and Ordinances passed in one or both Houses, since the Force on both Houses, Iuly 26. *untill the 6. of this present* August. 1647. *to be null and void.*

WHereas there was a visible, horrid, insolent and actuall force upon the Houses of Parliament, on Monday 26. *July* last; whereupon the Speakers, and many Members, of both Houses of Parliament were forced to absent themselves from the service of the Parliament: and whereas those Members of the House could not returne to sit in safety before Friday, the 6. *August*; It is therefore Declared by the Lords and Commons in Parliament assembled, that the Ordinance of Monday, 26. *July*, for the Repealing and making void of the Ordinance of the 23. of the said *July*, for setling of the *Militia* of the City of *London*, being gained by force and violence; and all Votes, Orders, Ordinances passed in either, or both Houses of Parliament, since the said Ordinance of the 26. of *July*, to the said 6. of *August*, are null and void, and were so at the making thereof, and are hereby Declared so to be, the Parliament being under a force, and not free: Provided alwaies, and be it Ordered, That no Person or Persons shall be impeached, or punished for his or their actions, by, or upon, or according to the aforesaid Votes, Orders, or Ordinances, unlesse he, or they shall be found guilty of contriving, acting, or abetting the aforesaid visible and actuall force; or being present at, or knowing of the said force, did afterwards act upon the Votes so forced, or were guilty of entring into, or promoting the late Engagement for bringing the KING to the City upon the Terms and Conditions expressed in His Majesties Letter of the 12. of May last.

IOHN BROWNE.
Cler. Parl.

ERATA.

PAg. 9. Lin. 9. r. spoken. p. 16. l. 29. r. Papir Cursor. p. 21. l. 14. Hypothetically. p. 28 l. 9. r. without. p. 70. l. 35. r. which action. p. 82. l. 33. r. Trayterous. p. 103. l. ult. col. 2. r. 10. Dove. p. 115. l. 7. r. disapprovable. p. 127. l. 22. r. feare. p. 177. l. 6. r. slay. p. 224. l. 35. r. powr reades. p. 240. l. 6. r. act with them. l. ult. r. the most.

THE

THE SECOND PART OF *The Hiſtory of Independency.*

MY Firſt part of *Relations and Obſervations Hiſtoricall and Politique upon this preſent Parliament*, begun *Anno Dom.* 1640. *anno Car. primi*, 16. is divided into tvvo parts or Books, [*The Myſtery of the two Iuntoes, Presbyterian and Independent,*] vvherein I ſhevv vvith vvhat art (to advance their deſignes) the Grandees divided the Houſes into the ſaid tvvo Factions; vvhich Factions entertaining the Quarrell in earneſt, their reſpective Grandees vvere forced to turne their jeſt into earneſt too, for upholding their Authority, vvith their ſeverall Parties: not unlike Butchers, vvho, in a Country Market ſet their Dogs together by the eares in ſport, and at laſt ovvne their Dogs quarrell themſelves in earneſt. The ſecond Book is, [*The Hiſtory of Independency.*] vvherein I ſhevv the *Riſe, Growth, and Practiſes of that Party*; vvhich being full of ſchiſmaticall quick-ſilver, reſtleſſe and ſtirring, and tenable by no Oaths, Principles, Promiſes, Declarations, nor by any obligations or Lavves divine or humane, doth novv enjoy the fruits of their perfidiouſneſſe and treachery, a Conqueſt gotten over their Adverſaries by pretending, proteſting, and falſe promiſing, vvhich they attribute to the Bounties and Mercies of God: and from the ſucceſſe of their villanies argue moſt Turkiſhly his bleſſings over them; and as Iewiſhly arrogate to themſelves to be the peculiar People and Saints of God, although he uſeth them but as a Rod in his hand to ſcourge the ſinnes of the other Party, and of the vvhole Kingdome. It is the uſuall method of Gods juſtice not onely to puniſh one ſinne

1. The Proeme.

by another, but one Sinner by another; nay, a leſſer Sinner by a greater: and at laſt to receive the humble and corrected Sinner into *Abrahams* boſome, and caſt the inſulting Executioner of his vvrath into the fiery fornace of his anger. In my aforeſaid [*History of Independency*] you have that Faction conquering: In this *Continuation* or *Supplement* of the ſaid Hiſtory, I repreſent them to you triumphing, uſing and abuſing their Victories to the diſhonour of God, deſtruction of the King, beggering and enſlaving of the Kingdome, depriving us of our Religion, Lavves, Liberties and Eſtates, and conſequently, making our VVives and Children the objects of our feare, deſpair, and ill boding doubts, not the objects of any comfort and joy vve can take in them, vvhoſe miſeries vve foreſee, but cannot help. VVhen I conſider the intricacy of this my undertaking, hovv perplexed it is, hovv intangled vvith various changings, counterchangings, revolutions, revoltings, and betrayings of Parties, (ſuch are all Civill VVarres, but eſpecially thoſe vvhere the moſt uncivill and barbarous ſort of men, the dregs and lees of the People ſvvim a top) hovv full of diviſions, and ſubdiviſions; in ſo much that they vvho are Friends and hold together in one Intereſt or Faction, are Oppoſites in another. Methinks my labour is as vaine as his that attempted to take the Picture of *Proteus*; or his, that endeavoured to ſhape a Garment for the Moone: vvhen God brought a Confuſion but of Lips and Tongues upon *Babel*, vvhat Man vvas able to reduce them into order againe? But God hath brought upon us a Confuſion, a *Babel*, not onely of Lips and Tongues, but of Heads, Hearts, Hands, &c. VVhat Hiſtorian can find a method in ſo univerſall a *Chaos*? can dravv light out of ſo palpable a darkneſſe? Beſides, I foreſee my revvard to be envie, hatred, malice, contempt, ſlanders, ſequeſtration, beggery, impriſonment, and at laſt an Arbittary death vvithout any Legall Tryall, proceedings, Iury, Iudges, or Court, or any knovvne eſtabliſhed Lavv to judge by; *Obſequium amicos veritas odium parit.* I have already followed truth ſo neer at the heels (although but a private retainer to her) that almoſt all my teeth are ſecretly ſtricken out: vvhat dare they not novv doe openly againſt me? ſince by murdering our King; diſ-inheriting his Poſterity, ſubverting Monarchicall Government, aboliſhing the Houſe of Lords, and perverting the

Houſe

Houſe of Commons, ſetting up nevv Repreſentatives, vvith Supreme and Legiſlative Povver, and nevv Courts and Iuriſdictions againſt all Lavves, they Proclaime themſelves Conquerours of King, Parliament, and Kingdome, Victors of our Religion, Lavvs, Liberties, & Properties, & Triumphers over our Perſons, VVives, Children, and Eſtates? ſince they profeſſe their vvill & povver, to be the only Lavvs & Rules of their doings, and our ſufferings. But vvhen I conſider, that as no mans innocency, ſo no mans reſervednеſſe can protect him; but that ſome men muſt die (according to *Catiline's* rule) to make up the number, others to multiply confiſcations, others to ſatisfie private ſuſpitions, malice & revenge, & many muſt die to cement and foment this nevv erected Tyranny vvith their bloud, I thought it as eaſie & more honourable to die vvaking and vvorking for my God, my King, and Country, than to die ſleeping, and have my throat cut in a Lethargy. I knovv theſe Schiſmaticks thirſt as much after bloud, as they hunger after money: and I am ſure to be involved in the common and inevitable ruine of my Country, vvhy ſhould I not rather periſh for it novv, them vvith it hereafter? It is more manly, more noble, more Chriſtian; *Dulce & decorum eſt pro patria mori*; vvas the ſaying of an Heathen, vvhy not of a Chriſtian? Religion, Lavves, and Liberties, lie novv at ſtake; vvhy ſhould not I come in for a Gameſter? it is a mixt cauſe, and he that dies for it is a Martyr. He that feares Death, muſt be a ſlave to thoſe Tyrants that carry the Svvord; he that feares Poverty, muſt be a Villaine to thoſe *Iudaſſes* that beare the Purſe; but he that feares God, vvill borrovv ſtrength from him to contemne them both: Thus putting my truſt in God, I put Pen to Paper, and my life into the ſcales, vvhere God (I knovv) holds the ballance: he vvhoſe providence takes notice of a Sparrovv falling from the houſe-top, vvill vvatch over me, and either protect me againſt them, or receive me from them.

2. An Introductory Repetition.

Cromvvell and *Ireton* (by advice of their thriving Iunto of Independents in the tvvo Houſes) having mutinied the Army againſt their Maſters the Parliament, found that crime could not be defended but by committing greater: vvherefore they ſeized the Kings Perſon at *Holdenby* to gaine Authority vvith the People; that they might the better ſubdue the Parliament to their luſts: for

See my I. Part of the *Hiſtory of Independency*, ſect. 7, 8, 9, 10, 11, 13, & 14.

Sect. 18, 19. for the better expediting vvhereof, they courted the City of *London* to ſit Neuters, and let them vvorke their vvills vvith the Parliament; vvhich Myne not taking fire, they united the ſciſmatical Party of the City and Countrey to them, and all ſuch as being guilty of publique cheats and ſpoyles, deſired the protection of the Svvord to make good their rapines: and accounted all men elſe as Enemies; applying themſelves to vvoo and cajole the People; eaſily vvrought upon as being vveary of the VVarre, and of the Miſ-government, Factions, confuſions and oppreſſions of their nevv Maſters the Parliament; vvhich indeed vvere very great, but aggravated by them and their Agitators beyond the truth: and the vvhole vvaight of them charged upon the more moderate and innocent Party, (onely becauſe they vvere their Oppoſites) vvhereas had they ſet the ſaddle upon the right horſe, as ſure as *Iudas* bore the Bagge, the Independents muſt have rid before the Cloakbagge; they being the Publicans and Sinners that handled moſt publique treaſure. The Layers on, Exactors, Treaſurers, &c. of Taxes, the farre more numerous and buſie party in all Mony-Committees, and gainfull Employments, Engroſſers of all great Offices; and the greateſt Sharers of Publique money amongſt themſelves for Compenſations for Loſſes, and Revvards for Services pretended; and conſequently, that Faction vvere the greateſt Dilapidators of the Common-vvealth, Oppreſſors of the People, and Authors of confuſion, though (according to cuſtome) by an impudent fallacy, called (*Tranſlatio criminis*) the Independent faction lay their Baſtards at other Mens dores, making a ſhevv to redreſſe thoſe faults in other men, vvhich themſelves are chiefly guilty of: vvherefore the better to ingratiate themſelves vvith King and People, they printed and publiſhed Engagements, Declarations, Remonſtrances, Manifeſtoes, Propoſals, and Petitions of their ovvne penning, and ſent them by their Agitators and ſectary Prieſts into all Counties for concurrence and Subſcriptions: the better to ſteale the reſpects of the People from the Parliament to themſelves, like *Abſolom*, they flattered the People to make Addreſſes and Complaints againſt publique Grievances to them onely: Boaſting themſelves for the ſole Arbitrators of Peace, Reſtorers of Lavves, Liberty, and Property; Setlers of Religion, Maintainers of the Priviledges of Parliament,

Refor-

Reformers and Callers to Account of all Committees, Sequeſtrators, Treaſurers, &c. Deliverers of the People from that intolerable Exciſe, and other Taxes: But above all, Preſervers of all juſt Intereſts, and Reſtorers of the King to his juſt Rights and Prerogatives vvith *honour*, *freedome*, and *ſafety*, to his Perſon, (originally their ovvne vvords, though ſince they Quarrell vvith Parliament & City for uſing them) & Reducers of his Queen and Children; vvithout vvhich they openly profeſſe and Declare poſitively in many printed Papers to the vvorld and the Parliament, There can be no ſetled peace nor happineſſe to this Nation. The truth of this Aſſertion vvas obvious to the meaneſt Capacities; and vvill ſodainly be proved by deare and lamentable experience. To all theſe undertakings they novv hunt directly counter, yet in purſuance of theſe undertakings, the Army (by their ovvne Authority) made Addreſſes to his Majeſty, and preſented to him more tolerable Propoſals than any he could obtaine from his Parliament: They treated vvith him, yea they vvrought upon him under-hand to neglect the Propoſitions from Parliament tendered to him at *Hampton-Court*, and to preferre the Propoſals of the Army; and then (preſuming they had him faſt lymed) they propounded to him anevv (as I have it from good hands) private Propoſals for the Intereſt of the Independent Grandees and the Army, derogatory to the Kingly Povver and Dignity, to the Lavves, Liberties and Properties of the Subject, and deſtructive to Religion. To vvhich his Majeſty giving an utter denyall, they began to entertaine nevv Deſignes againſt the Kings Perſon, and Kingly Gouvernment, vvhich they uſhered in by ſetting the Schiſmaticall and Levelling Party on vvork in City and moſt Counties, to obtrude upon the Houſes clamorous Petitions againſt further Treaties, and demanding exemplary Iuſtice againſt the King: exceedingly laboured by

Booke of Declarations of the Army, pag. 112.

Repreſent: of the Army at S. *Albons. Iune*, 23. 1647.

B. Decl: againe, p. 64

Sir *Tho: Fairfax's* Letter to the Houſes from *Reading*, *July* 6. 1647.

B. Decl: againe, p. 75.

Propoſals of the Army, *Aug.* 1. 1647. *Putney* Projects, p. 12. 14, 43. and my Animadverſions upon the Armies Remonſtrance delivered to the Commons, *Novemb.* 20. 1648.

The ſecond part of *Englands* Nevv Chains; and the Hunting the Foxes from *Nevv Market* and *Triplo heath* to *White hall* by five ſmall Beagles, p. 6, 7.

See my Animadverſions upon the Armys Remonſtrance, *Nov.* 20. 1648 and *Putney* Projects, p. 43. and Major *Huntingtons* Relation in a Booke caled, A plea for King and Kingdome, in Anſwer to the Armys Remonſt: preſented *Novemb.* 20. 1648. pag. 14, 15. 16. and, Second part of *England's* New Chaines; and the ſaid Hunting of the Foxes, &c. And the Reaſons inducing Major *Robert Huntington* to lay downe his Commiſſion.

Cromwell himſelfe in *Yorkeſhire* both amongſt the Gentry and Souldiers, &c. (amongſt theſe the Petition, *Decemb.* 11.1648. vvas the moſt eminent) theſe men that inſolently petitioned againſt the fundamentall Government of the Land, and Peace by Accommodation, vvere entertained vvith Thanks; Others that petitioned for Peace by Accommodation vvere entertained vvith Frovvns, disfranchiſings, ſequeſtrations, vvounds and death, as the *Surrey* Gentlemen; this ſhevved vvith hovv little reality the over-ruling Party in the Houſes Treated vvith the King. In order to this Deſigne of laying aſide the King, and ſubverting Monarchy, They 1. frighted his Majeſty into the *Iſle of VVight.* 2. The Parliament (that is, the predominant Party) purſued him thither vvith offer of a Treaty upon Propoſitions: conditionally (that before he ſhould be admitted to Treat) he paſſe 4. Dethroning Bills; of ſo high a nature, that he had enſlaved the People, ſubverted Parliaments, and had made himſelfe but the Statue of a King and no good Chriſtian, had he by his Royall aſſent paſſed them into Acts of Parliament; and the Parliament (or rather the Grandees) after his Royall aſſent, might have made themſelves Maſters of all the other Propoſitions vvithout his Conſent: ſo that this Treaty vvas but a flouriſh to dazle the eyes of the vvorld. His Majeſty therefore denied the 4. ſaid Bills, and thereby preſerved the legall Intereſts of King, Parliament, & People; yet the Faction preſently tooke a pretence and occaſion thereupon to lay aſide the King, by paſſing 4. Votes for no more Addreſſes to him; and a Declaration againſt him: vvhich vvere not paſſed vvithout many threats, and more ſhevv of force then ſtood vvith the nature of a free Parliament, the Army lying neere the Tovvne to back their Party: the deſigne having been layd before hand betvveen Sir *Henry Vane* Iunior, Sir *Iohn Evelyn* of *VVilts*, *Nath: Fiennes*, Solicitor *Saint Iohns*, and a ſelect Committee of the Army. I told you before the People had been throughly inſtructed formerly by the Army and their Agitators, That *there could be no peace nor happineſſe in* England, *vvithout reſtoring the King to his juſt Rights and Prerogatives, &c.* notvvithſtanding vvhich the People novv found their hopes that vvay deluded by the Army and their Party; vvho had caſt off the King upon private diſcontents, the true grounds vvhereof did not appeare; and

2. part of *England's* Chaines diſcovered.

1. Treaty in the *Iſle of Wight.*

1 par. Hiſt. Ind. ſect. 62,63,64.

Ibidem, ſect. 65, 66,68, 69, 70, 71, 72, 74, 75. And my ſaid Animadverſ: p. 10. And the 2 part of *Englands* new Ch:

2. part of *England's* new Ch: diſcovered, p. 4, 5.

and had obſtructed all vvayes to Peace and Accommodation, and made them dangerous and deſtructive to ſuch as travailed peaceably in them, vvitneſſe the ſad example of the *Surrey-men*, *Kent*, *Eſſex*; and all to perpetuate their great Places of povver and profit. The minds of the People therefore troubled vvith apprehenſion that our old Lavves and laudable forme of Government ſhould be ſubverted, and nevv obtruded by the povver of the Svvord, ſutable to the luſts and Intreſts of theſe ambitious, covetous Men; and finding beſides evident ſymptomes of a nevv VVarre approaching to conſume that ſmall Remainder, vvhich the laſt VVarres had left; grevv ſo impatient of vvhat they feared for the future, and felt at preſent (inſupportable Taxes, Free-quarter, inſolency of Souldiers, Martiall Lavv, Arbitrary Government by Committees, and by Ordinances of Parliament changed and executed at the vvill and pleaſure of the Grandees, inſtead of our ſetled and vvell approved Lavves) that deſpaire thruſt them head long into Armes in *VVales*, *Kent*, *Eſſex*, *Pontefract*, *&c*, and at the ſame time a cloud ariſing in *Ireland*, a ſtorme povvred in from *Scotland*, and the *Prince* threatning a tempeſt from Sea; theſe concurrences looked ſo black upon the Independent Grandees, that they gave vvay to a ſecond mock-Treaty in the *Iſle of VVight*; vvhich vvas the fruit of their covvardiſe and ſubtilty; as appeares by Sergeant *Nickolas* (a Creature of theirs) vvho (upon Saturday, *Octob.* 28. 1648.) moved in the Houſe, *That the Lord* Goring *might be proceeded againſt as a nevv Delinquent out of mercy*, becauſe he had Cudgelled them into a Treaty; though novv they attribute all to the Kings corrupt Party in the tvvo Houſes: the Army likevviſe kept a mock-faſt or day of Humiliation at *VVindſor* to acknovvledge their ſinnes, and implore Gods mercy for their former diſobedience to the Parliament in not Disbanding, and their inſolent Rebellion in Marching up in a Hoſtile and Triumphant poſture againſt the Parliament and City, *Auguſt.* 6. 1647. promiſing more obedience hereafter, and to acquieſce in the judgement of the Parliament, and Declared, *That it was proper for them to act in their owne ſphere as Souldiers, and leave State affairs to the Parliament*: but this vvas done but to recover the good opinion of the people and City, and to keep them from ſtirring, and to ſtay the moderate

a Treaty in the *Iſle of VVight.*

Decl. Iune 14. 1647.

rate Party of the tvvo Houſes from Declaring the Army Enemies, recalling and Voting their Commiſſions, and eſtabliſhed Pay voyde, vvhich they might have done vvith ruine to the Army and their Party in that Conjuncture of Affaires, and vvith ſafety to themſelves, and applauſe of all honeſt men of *England* that had taken part vvith the Parliament from the beginning; had not ſome Grandees of the rigid Presbyterian party (both vvithin and vvithout the Houſes) ſome curſed thing, ſome *Achan* vvedge in their boſomes vvhich ſuggeſted, Their ſinnes vvere greater than could be forgiven; and therefore they durſt not caſt dovvne the partition vvall betvveen them and the King (this Army) though it leane ſo hard upon them, it is ready to overvvhelme them; VVarre is neceſſary for ſome men of every Faction, vvhoſe crying ſinnes peace vvill lay open and naked to the ſcorne, deriſion, and deteſtation of the vvorld. Hovv vvel theſe ſanctimonious Svvord-players of the Army have obſerved the Duties & Undertakings of their ſaid Humiliation, let the vvorld judge: Have they not returned againe vvith the Dogge to the Vomit? have they not couſened God, and their ovvne Soules? Sure they faſted from ſinne then, that they might ſinne vvith the more greedy appetite novv; and asked God forgiveneſſe of the old ſcore, that they might ſinne againe upon a nevv ſcore. Thus you ſee the 2. Treaties in the *Iſle of VVight* vvere begotten by feare and (that Idol of the Independents to vvhich they offer up all their knaveries) neceſſity. They vvere Cocatrice Eggs layd by their Grandees vvhen they had been Crovv-trodden by Armies from abroad, & Tumults at home; upon vvhich they ſate abrood onely to hatch Scandals and nevv quarrels againſt the King, Anarchy and confuſion to the State, and Tyranny and oppreſſion of the People: to ſet up the Olygarchy of the Saints, or Councel of State, the Kingdome of the Brambles, vvhich ſince doth ſcratch the vvool from off the skin, the skin from off the fleſh, the fleſh from off the bones. I. have been compelled to uſe ſome introductory Repetitions in this part of my diſcourſe, that I may give you the vvhole myſtery of the 2. Treaties vvith the King in the *Iſle of VVight*, vvith the cauſes efficient, and finall of them, under one vievv; leſt ſome one link of the chaine eſcaping your obſervation, it become a Chaine of errors to you.

See my 1. part ſect. 65, 66, 105 106, 107. and the Concluſions there. Sect. 16, 17, 18

My firſt part of the *Hiſtory of Independency* ends vvith that vvhich vvas but an unlucky preface to a Treaty vvith the King; namely, *Cromwel's* menacing Letters to the Speaker of the Houſe of Commons, dated *Auguſt* 20. 1648. Relating his eaſie purchaſe of agreat Victory over Duke *Hamilton*, and Lieut. Gen. *Bayly*; vvherein he relates the number of the Scotiſh Forces, farre differing from the former Report of Lieut. Col. *Oſborne* a Scotiſh Gentleman, made in the Houſe of Commons, *Iuly* 20. (vvhere of I have ſpocten in my firſt part) vvho (to take avvay the terror of them) eſtimated *Hamiltons* and *Langdales* conjoyned Forces to be but 10000. and it vvas then thought a note of diſaffection to report them any more; but this Letter (for the greater glory of his ſanctified Army) multiplies them to be 21000. The manner of the Fight vvas very ſtrange and Exceedingly to be ſuſpected (eſpecially by any man vvho hath heard or read of *Bayly's* former demeanour in his ovvne Country at *Kylſythe* and *Auforte Kirke*) It vvas little better than a beating up of Quarters for 20. miles together (for ſo far the Scots Army lay ſcattered in their Quarters, the Horſ ſo farre diſtant from their Foot, they could bring them no ſeaſonable reliefe) Sir *Marmaduke Langdale* vvith his ſmall Party drevv forth, and made an honourable reſiſtance, had he been timely and ſtrongly ſeconded: on the Scotiſh Party the Fight began at *Preſton* in *Lancaſhire*, vvhere the Duke being vvorſted, retreated to *VVigon*, from thence to *VVarrington* thorovv Lanes and Faſtneſſes, vvhere *Bayly*, Lieut. Generall of the Scotiſh Foot, being ſtrongly quartered upon a Bridge & Paſſe, yeilded up 6000 Foot and Armes vvithout fighting, and ſo ruined his vvhole Infantrey: from *VVarrington* the Duke fled vvith 4000. Horſe to *Namptwiche*, from thence to *Vtoxeter*, vvhere his manner of yeilding himſelfe to Colonel *VVayte* (a Member of the Houſe of Commons) take out of *VVaytes* ovvne report in the Houſe, vvho ſaid, *the Duke yeilded ſimply, and without any Articles of Surrender; that he voluntarily gave him his Sword, Scarfe, Signet of Armes, and his George; that he hung upon him ſo that he could not get from him, deſiring him to ſecure him from the rage of the Souldiers; ſaying, He had not come into* England, *but that he was invited by a greater part of Lords, Commons, Citizens and Covenanters then called in the laſt Scotiſh Army*: preſently the Bloud-

3. *Hamilton* overthrovvne. See my 1. part. ſect. 136.

Sect. 110, 111.

hounds of the Faction in the Houſe ſented this, and called upon *VVayte* to knovv vvhether he named any? *VVayte* Anſvvered, that *Hamilton vvas a ſubtile, politique Lord, and no doubt (for the ſaving of his ovvne life) would doe that in more convenient time.* Hereupon a Committee (all of Canibal Saints) vvas preſently packed, and ordered to go dovvne and examine the Duke, but no particulars could they get from him: vvhich vvas an honourable ſilence, and made amends for his former laviſh ſpeech. It vvas happy the *Prince* did not truſt himſelfe in the Head of this Army. Had *Hamilton* marched immediately to *Colcheſter*, or but to *Pontefract*, (vvhich he might eaſily have done, *Lambert* his onely Oppoſite ſtill retreating before him) the vvhole Country had riſen vvith him. But he knevv the Presbyterian party had rendred themſelves contemptible, and he as much contemned the Independents, therefore he foreſlovved his march, vvilling *Cromvvell* and *Fairfax* ſhould ſubdue all other Parties, and that he onely might have Armes in his hands to bring in the King upon his ovvne tearms; this over-confidence undid him: He vvas too much a Stateſman, and too little a Souldier.

4. The inſolency of the ſchiſmaticall Members upon report of the Victory.

This Victory did vvorke like Botled-Ale vvith *Scott*, *Thomſon*, *Cornelius Holland*, Sir *Henry Myldmay*, and many others of the light headed Saints, vvho vvere ſo puffed up vvith the vvindineſſe of it, that they began to ſvvell vvith diſdaine and malice againſt the Perſonall Treaty, and to threaten and inſult over all that had either petitioned for it from abroad, or ſpoke for it in the Houſe, as the onely meanes of peace and a ſetlement.

5. The vviſer ſort ſubtlely continue a mock-Treaty.

But the vviſer ſort (more crafty to doe miſchiefe) knovving, that the people vvere vveary of Taxes and the Army, and had no hopes of peace but by a Perſonall Treaty; and vvere reſolved to purchaſe peace, although at the price of a nevv VVarre: that *Colcheſter*, *Pontefract*, *Scarborough*, and a Caſtle or tvvo in *Kent* vvere not yet reduced, the people in *VVales*, *Kent*, *Eſſex*, the *North*, not yet ſetled in ſuch a calme, but that a nevv ſtorme might ariſe: a conſiderable party of the *Scots* yet unbroken in *England*, and fronting *Cromvvell* and *Lambert*, under the command of *Monroe*, a daring, knovving, and uncorrupted Commander; *Scotland* it ſelfe not yet aſſured to them: and above all, the *Prince of VVales* vvith a ſtrong Fleet at Sea, likely to raiſe nevv tempeſts at Land,

had

had he landed ſome men in *Kent* or *Eſſex*, to gather up the male-contents there but nevvly ſcatterd & broken, & ready to adhere to any Party to defend themſelves from the fury and rapines of their Committee; *VVarwicke* but a freſh-vvater Admirall, lying in the *Thames* under protection of the Block-houſes, and relying upon Land- Souldiers to avve the Mariners from mutinying; a cloud ariſing in *Ireland* ready to break into a ſtorme: upon theſe conſiderations, the Caball or cloſe Iunto of Grandees thought fit to dally on the Treaty, the better to keep the *Prince* quiet, in expectation thereof, and gaine time to vvork upon his Sea-men, (already corrupted vvith vvant of vvork and pay) and to gull and pacifie the reſt of the Members and people (not patient of a ſharper remedy) untill *Oliver* had puite finiſhed his Northerne vvorke, and marched neerer *Londen*, *Colcheſter* reduced, and the *Princes Fleet* retired to Harbour to avoid VVinter; and then to breake off the Treaty, and purge the Houſe of thoſe Members that ſought peace by an accord vvith the *King*, under the notion of *the King's corrupt Party*; to blind their eyes therefore, the Speaker *Lenthall* (though at this time the Fore-man of *Olivers* ſhop) vvhen it vvas debated in the Houſe, *VVhether a Treaty ſhould be had with the King in the Iſle of* VVight *upon the Propoſitions of Hampton-Court?* The Queſtion much oppoſed, and at laſt put, the *Noes* and the *Yeas* vvere equall, 57. to 57. in ſo much that the Speakers voice vvas put in to turne the ſcales; he gave his voice in the *affirmative*, that time follovving his conſcience againſt his Intereſt, and my Lord *Say* (openly in the Houſe of Lords) ſaid, *God forbid that any man ſhould take advantage of this Victory to breake off the Treaty*: and the *Armies-Scout*, from Tueſday *Novemb.* 14. to *Novemb.* 21. 1648. propounds three Riddles to the Reader, 1. *VVhy the Grandees of the Iunto that uſe to rule the Army are the moſt active Solicitors for an Agreement of the Parliament with His Majeſty vvhen then the Army are Acting to the contrary?* 2. *VVhy His Majeſty, ſtumbles onely at the matters wherein the Preſbyterian Intereſt are concerned, when that Faction is the onely viſible prop to His life, Crowne, Dignity, and dying intereſt?* 3. *VVhy the Souldiers Petitions for Iuſtice upon His Majeſty were ill reſented, and they thought vvorthy to be Tried by a Councell of VVarre, as Offendors, yet a Remonſtrance vvas then framing by the Grandee Officers to the*

ſame purpoſe, and much more againſt the preſent Authority? and in this the Generall concurres.

6. New Inſtructions to *Hammond* in order to the Teaty, ſect. 132.

The next thing taken into conſideration in relation to the Treaty, vvas, the giving nevv Inſtructions to *Hammond* the Head-Goaler, hovv to demeane himſelfe in the Treaty; vvhich had formerly been Voted to be in the *Iſle of VVight*, vvith *honour*, *freedome*, *and ſafety to His Majeſty*: The Inſtructions vvere, 1. *That the King ſhouly enjoy the ſame liberty during this Treaty that He had at* Hampton-Court. 2. *That no perſon excepted out of mercy, none novv Impriſoned by the Parliament, nor none novv in actuall Armes againſt the Parliament ſhould be admitted to come to the King* 3. *That no foraine Agent ſhould make any Addreſſe to Him without leave of both Houſes.* Againſt theſe Inſtructions it vvas argued, *That ſome of them contradicted the former Votes, That the King ſhould Treat in Honour and Freedome, and that He ſhould enjoy the ſame Liberty He had at* Hampton-Court, *which could not be ſo long as He was denied to correſpond with other Princes His Allyes (with vvhom He Vvas in league and amity) by their Ambaſſadors and Agents, a Royalty inſeperable from the Crowne, allovved Him at* Hampton-Court, *and to deny it vvas implicitely to dethrone Him.* To vvhich vvas anſvvered, *That this vvas true of a King in actuall exerciſe of his Regall povver, vvhich this King neither is, nor ought to be untill He hath given ſatisfaction to His Parliament: That it vvas a great condeſcention in them, and belovv the Dignity of a Parliament to recall their Votes of Non Addreſſe, and put the buſineſſe of the Treaty thus forvvard; and if He vvould not accept of a Treaty upon ſuch conditions as the Parliament thought fit, then things vvould be but vvhere thy vvere.* The peaceable moderate Party perceiving vvhat operation the Schotiſh Victory had already upon the fancies of thoſe hot-headed Men, Knevv they muſt ſpeake mannerly and modeſtly for feare of correctſon, and muſt take vvhat they could, ſince they could not have vvhat they vvould. 4. *That the King ſhould give His Royall vvord not to remove out of the Iſland during the Treaty, nor in 20. daies after, vvithout conſent of the tvvo Houſes*: this vvas to make his chaines a linke or tvvo longer, yet the King did give His Royall vvord accordingly.

7. The Earle of *Warvvicks* Letter to *Derby-ho:* complaining of his Sea-men.

Thurſday, *Aug.* 24. a Letter came to the Committee of Safety at *Derby-houſe* from the Earle of *VVarvvicke*, complaining of the perverſeneſſe

perverſneſſe of his ovvne Sea-men, and that thoſe vvith the *Prince* vvould not yet ſtoop to the Gods of Gold, (his ovvne vvords) *That ſome other vvay muſt be thought of beſides force to undermine the Prince, that ſince they had ſubdued their Enemies by Land, it vvould be a good preparative to vvorke upon their Enemies by Sea vvith the ſame Engine.* You ſee theſe Saints having gotten the publique Purſe into their hands, are (at the peoples coſts and charges) bountifull Corrupters of other mens faith, having none of their ovvne.

8. A Committee to make effectuall the Sale of Biſhops-Lands; and cajole the City.

About this time a nevv kind of pick-lock vvas invented to open the iron Cheſts and Counter Boards of the City; and invite them to throvv more money after that they had caſt avvay already in purchaſe of Biſhops Lands; namely, *a Committee to conſider of a vvay to ſecure unto the Purchaſers the Money they had already diſburſed upon the ſaid Lands; and to remove all impediments in the Sale for time to come.* To vvhich Col. *Harvey* ſaid, *That he had experience in the late defection of the City; that the Men moſt backvvards in the Parliaments ſervice, vvere ſuch of the Preſbyterians as had no engagement upon Biſhops Lands; vvhereas others of the ſame Party that have intereſt in the ſame Lands, are as forvvard as any the beſt affected.* Here you ſee vvhat it is that chaines the affections of the Cite to this Parliament, and vvhat it is that divides them amongſt themſelves; ſelf-reſpects makes them run along blind fold vvith the Grandees in any deſigne or faction. A good bargaine makes a bad Man; *Harvey* needs no other preſident but himſelf, nor no more viſible monument then his exceeding cheap bargaine of *Fulham-houſe* and *Manour*, vvhich hath changed him from afurious *Preſbyter*, to a Bedlam *Independent*.

9. A Commiſſion into the North to enquire what dammages they have ſuſtained by the Scotiſh Invaſion.

About this time it vvas Ordered, *That Commiſſions ſhould be iſſued forth into the Northerne Counties, to enquire vvhat Damages they have anny vvaies ſuſtained by* Hamilton's *Invaſion*? This device vvas of a tvvofold uſe, 1. *To cut off the Scots demands for Mony due to them for their laſt Brotherly aſſiſtance, and otherwiſe.* 2. *To cajole the poore Country into a beliefe they ſhall have reparations againſt the Scots, and raiſe them into a clamorous complaint againſt the Scots; and at laſt a deadly feude vvhen they ſhall find their hopes denied by them and diſappointed.* In the meane time they are patiently eaten up vvith Taxes and Free-quarter, and vvhile they looke for vvhat

they ſhall never have, they loſe vvhat they have already; This vvas the much applauded invention of Maſter *St. Iohns* of *Lincolns-Inne.*

10. *Colcheſter* ſurreudred, vvith the ſequele thereof.

About this time the nevves of the Surrender of *Colcheſter* inflamed the Antimonarchicall faction from a Feaver to a frantick Calenture. They yeilded *to mercy*, and vvithin 4 hovvers after Sir *Charles Lucas* and Sir *George Liſle* (for the better explanation vvhat Independent mercy is) vvere *ſhot to death*; ſome attribute it to an *old quarrell* betvveen him and Generall *Fairfax*, others think it vvas done to put an *affront* upon the King and the Treaty: Colonel *Farre* vvas likevviſe condemned by the Councell of VVarre at the ſame time, but is reprieved as a vvitneſſe againſt the Earle of *VVarvvicke* vvhen time ſerves; for vvhen *VVarvvicke* long ſince vvaited at the Commons Dore vvith ſome Ladies to petition for a Reprieve for the Earle of *Holland*, a Souldier of the Guard inſolently told him, *He had more need petition for himſelfe.*

11. Inſtructions for the Commiſſioners to Treat with his Majeſty.

Inſtructions for the Commiſſioners to Treat vvith the King vvere Debated: The Independents propounded, *that thoſe Propoſitions that were moſt advantagious to the Parliament ſhould be firſt debated, and if the King did not confirme them all, the Treaty to breake off:* But it vvas held unreaſonable in any Treaty, *that one Party ſhould bind himſelfe before the Concluſion, and leave the other at large, and himſelfe in the lurch*; ſo it vvas Ordered, *They ſhould be Treated of in order as they lay, and (according to His Majeſties deſire) nothing binding to either Party untill all was agreed of.* The next ſtumbling block caſt in the vvay vvas, *that ſeeing 40 daies only were allowed for to Treat, that thy ſhould limit how many daies (and no more) ſhould be ſpent in Treating upon every ſeverall Propoſition:* But this vvas looked upon as a cavill to make void the Treaty, and ſo overruled; you ſee vvhat uſe theſe men that gaine by VVarre make of their Victories.

12. A Debate what Genrl: ſhould be allowed to attend his Majeſty in the Treaty.

The next thing debated vvas, *the Liſt of ſuch Gentlemen as vvere named to attend the King in this Treaty*: The moderate Party excepted againſt *Aſhburnham* (a great man vvith *Cromvvell*) and *Legge*, asbeing Priſoner to the Parliament: The Independents excepted Dr. *Shelden*, *Hammond* and *Oldſworth*, for the ſame reaſon; but the next day the Speaker moved, that *Legge* and *Aſh-*

burnham

burnham might go to the King; and to ſatisfie ſuch as had objected their Impriſonment againſt them, the Independents alleaged they vvere unduly impriſond, and moved, a Committee might be appointed to examine the cauſe of their Reſtraint: but the moderate alleaging the ſame reaſon for the ſaid three *Doctors*, and making the ſame motion for them, there vvas no farther proceedings therein.

13. Maſter *Pryns* Speech in the Houſe, proving the Kings conceſſions to be a ground for a ſetlemene.

Thus farre I have briefly ſet dovvne the Preparations tovvards a Treaty; the Treaty it ſelfe betvveen the King in the *Iſle of VVight*, and the Parliaments Commiſſioners; their Reports of the Reſults to the Houſes; and the Houſes Debates and Votes upon them tooke up almoſt all the time untill the 6. *December*, 1648. (ſome fevv buſineſſes of no great moment intervening) many imperfect and partiall Relations of them have been printed *cum Privilegio*; but Mr. *VVill Pryn* in his excellent Speech made in the Houſe of Commons, 4. *Decemb.* 1648, and ſince printed, hath ſet dovvn all the moſt materiall Arguments on both ſides, vvith great candor and ingenuity, and hath confuted the Enemies to Peace and Accommodation: if ſtrength of Reaſon can confute thoſe men that follovv onely thier ovvne Intereſts of povver and profit, vvhoſe vvills and luſts have alvaies been their ovvne lavves, and are novv become the onely Lavves of this Conquered Kingdome; I love not *actum agire*, I reſerre my Reader therefore to his Speech, and vvill only trouble him vvith ſome Obſervations upon this Treaty.

14. The *Militia*, and Negative Voice. ſect. 62, 63, 64, 106 and the Concluſions. 15, 16, 17.

I have ſaid ſomething of the *Militia*, and the Kings *Negative Voice*, in the 1. part of this Hiſtory, eſpecially in the *Concluſions* at the latter end; I vvil onely ſay that vvithout them the King cannot be a Governing King, but abare Titular King, a picture, a ſhadovv, becauſe the protection of the People depens upon the povver of the Svvord; He cannot protect them and their Lavves vvith the Scabbard: The Authority of the Scepter follovves the povver of the Svvord; vvherefore to give avvay one, is to loſe both; nor can the Subjects be any longer His Majeſties Subjects, but Salves to their fellovv Subjects, vvhen ſo many petty Kings (not authorized by any lavv of God or Man to protect the People) ſhall hold the Svvord over their Heads, and diſtract them vvith different Opinions, diſagree in Commands, according to the

the variety of their ſeverall luſts, factions, and intereſts: hovv can the King according to his Coronation Oath and duty (to vvhich God hath called him) Governe and protect his People, vvhen he hath given avvay his Svvord to a factious Parliament vvhere one Party tyrannizeth over the other, and threatens the other vvith the longeſt Svvord? hovv abſurd and impoſſible it is for the Subject to expect protection from one hand, and to ſvveare and pay Alleigannce to another hand that hath diveſted it ſelf of all povver to protect them; let our Lavves, the practice of all Nations and times, and the judgement of the learnedſt Politicians tell you, vvhoſe Maxime is, *Illa optima eſt Reſpublica ubi Princeps quàm maximum poteſt boni, & quàm minimum mali; Primò ne nova Tributo indicere, nova vectigalia conſtituere poſſit, inconſultâ Republicâ: Deinde legum condendarum anti quandarumque pœnes Rempublicam, non unum aliquem Magiſtratum eſſe debet poteſtas; nulla enim in re gravius peccatum admittitur, nuſquam graviores turbæ minantur quàm hiſce de rebus*; That is the beſt forme of Gouvernment, vvhere the King can doe moſt good, and leaſt evill: 1. Let Him be diſabled to raiſe nevv Taxes, & lay on nevv Tribute. 2. Let Him not have the ſole povver to make or repeale Lavves, vvhich ought to belong to the Common-vvealth; not any one Magiſttrate; for no povver is more hurtfull to the People, nor ſtirres more Commotions them theſe tvvo: ſuch is the Kingdome of *England*, the King hath neither the povver of our purſes, nor the changing of our Lavves in His hands, and if he give avvay his Svvord, he vvill be ſuch a King of clouts as can doe neither good nor evill, like *Rex Sacrificulis* at *Rome*, *ea ſumma poteſtas dicitur, quâ ſecundum Leges non eſt major neque par*; ſuch vvas the Dictator at *Rome*, he had no equall there; *Papyp: curſor dictator*, ad judged to death his Generall of the Horſe *Fabius*, for fighting againſt his command though proſperouſly; and rejected all appeale to the Senate and Tribunes of the People; yeilding at laſt onely to their prayers, vvith this ſaying, *Vicit tandem imperii majeſtas*: ſuch is the King of *England*, the Common-vvealth cannot compell him to grant a Pardon, or diſpenſe juſtice or mercy as they pleaſe; the Oath of Supremacy calls Him *Supreme Governour in all Cauſes, over all Perſons*; ſo doe all our Statutes, to vvhom in Parliament (vvhich is his higheſt ſphere of majeſtie) i

1. part. ſect. 40, 41, 42.

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the laſt appeale by VVrit of Error, vvho is, *Principium, caput & finis Parliamenti*, the beginning, head and end of the Parliament: and therefore he onely calls the Parliament, to adviſe vvith him, and diſſolves it vvhen he is ſatisfied: He makes VVarre & Peace, and is Protector of the Lavves, and of all juſt Intereſts; onely the policy of the Lavv diſables him to make, repeale, or alter Lavves, or raiſe Monies vvithout conſent of both Houſes by Bill paſſed; (vvhich is but an *Embrio* untill he quickens it by his Royall Aſſent) becauſe this vvay the King may doe moſt hurt, and vvrong to his people, (as I have already ſaid) it being the vviſdome of our Lavves to keep the Svvord in one hand, and the purſe in another.

See the 1. part of this Hiſtory, *Prolegomena*, 1.

15. The 1. Propoſition for juſtifying the Parliaments, and condemning His owne quarrell

The 1. proemiall Propoſition for *juſtifying the Parliaments Cauſe and Quarrell*, and *condemning His owne Cauſe and Party*, vvas a bitter pill; but an earneſt deſire of peace ſvveetned it, and guilded it over, and invited him to ſvvallovv it vvithout chavving or ruminating upon it: but hovv deviliſh, unchriſtian, and illegall a uſe the Faction have made of this extorted confeſſion, let God judge.

16. The Covenant endevoured to be put upon the King.

Their inſiſting upon it, *that the King ſhould take the Convenant*, vvas an errour in Policy, vvhereof the rigid Presbyterians are guilty; they (ſuppoſing the King vvould take it at laſt) ſtood upon it, and intended thereby to joyne the King to their Intereſt and Party. The more ſubtile Independent knevv the King vvould not, nor could not take it; and therefore complied vvith the Presbyterians in obtruding it upon him, to breake off the Treaty: many things in the Covenant vvere vaine in the Perſon of His Majeſty, as, *that He ſhould ſweare to maintain His owne Perſon, &c.* vvhich the lavv of nature binds him to vvithout an Oath, vvhichin this caſe is idle, and a prophaning of Gods name: ſome things in the Oath vvere contradictory to vvhat the Parliaments Propoſitions deſired of him, as, *to maintaine His owne Authority in defence of Religon, Lawes, and Liberties*, vvhich vvas impoſſible for Him to doe unleſſe he kept the *Militia* in his ovvne hands, and his *Negative Voice* alſo, vvhich that clauſe in the Bill of *Militia*, *That all Bills for leavying Forces ſhould have the povver of Acts of Parliament, without the Royall Aſſent, &c.* vvould have deprived him of, by making their Ordinances Acts of Parliament in effect,

binding to the Perſons and Eſtates of the People in an Arbitrary vvay, to their utter enſlaving: *To ſweare to Aboliſh Biſhops, &c.* vvas againſt his Coronation Oath, *To ſweare to extirpate Hereſies, Schiſmes, &c.* is more then the Independents vvould permit; *To ſweare to maintaine the Vnion between the two Nations*, vvhich the Parliament declare already to be *broken by the Scots Invaſion*, is vaine: beſides, hovv unjuſt a thing vvas it to impoſe that Oath upon the King, vvhen moſt Members of the Parliament, Army, and others, are left at large not to take it? The Parliaments Demands, *That the King ſhould declare againſt the Marqueſſe of* Ormonds *proceedings to unite all the Intereſts of* Ireland *for the ſervice of his Majeſty*, vvas no part of the Propoſitions upon vvhich the Treaty vvas begun, but a ſubſequent requeſt upon an emergent occaſion; and therefore I ſee no reaſon vvhy the King ſhould have given any Anſvver to it, but onely have held himſelfe to the originall Propoſitions, yet he did Anſvver, *That the whole buſineſſe of* Ireland *was included in the Treaty, and therefore a happy Agreement thereupon would ſet an end to all differences there*, vvhich being voted *unſatisfactory*, and moved that *a new Declaration might be publiſhed againſt him*; the King vvas inforced to put a ſtand to the Marqueſſes proceedings by his Letter, to his great prejudice; yet theſe Declarers againſt him do novv comply vvith *Ovven Roe Oneale*, and have entertained *O Realy*, the Popes Iriſh-Vicar-generall in *England*, to negotiate for the Iriſh maſſacring Rebels vvith the Parliament: Theſe things conſidered, prove vvhat I find in our late King *Charles* the 1. moſt excellent Booke, Chap. 18. *That it is a Maxime to thoſe that are Enemies to peace, to aske ſomething which in Reaſon and Honour muſt be denied; that they might have ſome colour to refuſe all the reſt that is granted.* More obſervations upon this unlucky Treaty I vvill not trouble my Reader vvith, theſe being enough to ſhevv the vanity of thoſe Propoſitions; by theſe he may take a ſcantling of the reſt, *ex pede Herculem.* I cannot but blame the indiſcretion, if not the indiſpoſition of thoſe Commiſſioners vvho cavilled avvay ſo much time in the Treaty, untill *Cromwell* had done his vvorke in the North, and marched up to Tovvne to make the Treaty ineffectuall.

17. *Ioues* complaines by Letters that *Ireland* was like to be loſt.

About the latter end of *Octob.* 1648. Col. *Ioues* ſent vvhining Letters

Letters from *Dublin*, to the Steers-men at *Darby-houſe*; complaining that *all Ireland vvas like to unite and proſecute the Kings Intereſt*, and therefore he cried *for help*; but neither the ſaid Committee, in their conſultations, nor the Army in execution of vvhat vvas reſolved could agree amongſt themſelves: the Engroſſers and Monopolizers of Olygarchy into a fevv hands, deſiring to make themſelves a corporation of Tyrants, ſuſpect an oppoſition from the Levellers; and vvould faine turne them out of the Kingdome, into *Ireland*, to ſeek their fortunes, and practice their Levelling Principles in a ſtrange Land: The Levellers (more numerous in the Army, though leſſe numerous in the ſaid Committee) ſtraine courteſie vvith their Betters, and vvould have them goe firſt, thinking the ſeeds of liberty and equality vvill proſper better in the ſoyle and ayre of *England*; VVhile they vvere diſputing, if Marqueſſe *Ormond* had been acting (as he had been, had not the King been neceſſitated to retard him, by his ſaid Letters, ſent from the *Iſle of VVight* during the Treaty) the King had recovered thatKingdome intirely to himſelfe, vvhich had been of great advantage to him.

18. The Remonſt. of the Army to he Houſe of Commons, *Nov.* 20, 1648.

The 20. *Novemb.* 1648. Col. *Evvers*, vvith ſeven or eight Officers more, preſented at the Houſe of Commons Barre a thing called (by thoſe that uſe to miſcall things) *An humble Remonſtrance of the Army*: it is founded upon theſe five Anarchicall Principles. 1. *That themſelves and their faction onely* (vvhom they call excluſively, the VVel-affected; Godly, Honeſt Party, the Saints) *are the People of England*; all the reſt but Philiſtins, Amorites, or (at the beſt) but Gibeonites. 2. *That their Intereſt onely is the publique Intereſt of the People.* 3. *That the People* (that is, themſelves) *are the onely competent Judges of the Peoples ſafety* (contrary to the Lavves and practice of all Nations, vvhich beſtovv that prerogative onely upon the Supreme Magiſtrate) but it may be here lies hid another ſubſequent principle, *That they are the Supreme Magiſtrate, armed vvith Supreme Authority, as vvell as vvith their Svvords*; and hereupon, they as good as tell the Houſe, *That if their ſuppoſed dangers be not removed, and thoſe remedies vvhich they Remonſtrate admitted, they ſhall make ſuch appeale to God* (that is, their Svvord) *as formerly they have done.* 4. Principle is conſequentiall to the 3. *That they may drive on their Deſigne* (upon pretence

of neceſſity, ſelf-preſervation, honeſt intentions, providence, or revelation) *againſt all Powers, Formes of Government, and Lawes what ſoever*, under colour of that much abuſed Maxime, *Salus Populi Supremæ Lex eſto*, the ſafety of the People is the Supreme Lavv; vvhich hath been the fruitfull Mother of many Rebellions in all Ages, to ſerve the corrupt ends of ambitious Perſons; vvho uſually fiſh in troubled vvaters to attaine to thoſe ends vvhich they could never arrive at in ſetled Governments. This is a Principle, or nevv light diſcovered by Maior *Huntington*, *That it is lawfull to paſſe through any formes of Government, for accompliſhment of their ends, and therefore either to purge the Houſes and ſupport the remaining Party by power everlaſtingly, or put a period to them by force:* and themſelves imply as much in this Remonſtrance, *p.* 45 ſaying, *It cannot be ſafe to accommodtae vvith the King, becauſe if He returne, and this Parliament continue long and unlimited, He vvill make a Party amongſt them; He hath bid faire for it among the Commons already, and the Lords are his ovvne out of Queſtion; and therefore vve dare not truſt the King amongſt them.* Againe they ſay, *That if the King come in to the Parliament, He vvil be looked upon as the Repairer of breaches, Reſtorer of trade, peace, plenty, &c. and if the Army ſhould keep up (as it muſt) upon Taxes, the Houſes and Army vvill be looked upon as Oppreſſers; and the jealouſies and diſcontents of the People be increaſed againſt them, and make them apt to joyne iſſue vvith the Kings intereſt, and may yeild us up a ſacrifice to appeaſe the King and his Party*; out of theſe vvords, and their ovvne practice, I conclude for them, *ergo*, They may carry on their deſigne upon neceſſity for ſelf-preſervation, againſt the Monarchicall Government, and Lavv of the Land, to *murder the KING*, as they have ſince done. Againe they ſay, *If the King vvere returned, each Party vvould ſtrive firſt, and moſt to comply vvith Him, ergo*, there is a neceſſity to ſubvert the Kingdome and *murder the KING*. Behold vvhat uſe theſe covvardly Saints make of neceſſity, and ſelf-preſervation. 5. *That they may appeale to their Svvord againſt the Authority of any their Governours, in order to publique ſafety*; vvhich tvvo laſt concluſions ſet the dore vvide open to Faction and Rebellion; ſince the People are ever floating and given to change, and every turbulent ambitious Fellovv, is apt to raiſe them into a ſtorme againſt their Governours, for

their

their fabulous aſſertions vvherevvith theſe Saints uſually guild over their ſoule actions, 1. *That the Houſes were free vvhen they paſſed the* 4. *Votes for Non-Addreſſes.* 2. *That they vvere not free vvhen they recalled them.* 3. *That the People vvere quiet and contented untill the recalling thoſe* 4. *Votes, and aftervvards vvere unſetled, and preſented clamorous Petitions.* 4. *That the Army did not apply themſelves to the King untill he proffered Himſelfe to them.* 5. *That vvhen they made Addreſſes to Him, it vvas but to prevent the Preſbyterian Party.* But it appeares, their ayme (from the beginning) vvas to ſuppreſſe the Presbyterian, and advance their ovvne Party, and lay by the King, and domineer over Him and the Kingdome; for vvhen *Cromvvell* had brought his Deſigne to perfection, he ſaid at *Kingſton*, *That he vvas as fit to rule the Kingdome as Hollis.* 6. And then but hypocritically. All theſe are ſufficiently confuted in my ſaid *Animadverſions*, and in the ſaid Plea for the King and Kingdome, in *Putny Projects*, and in my *Firſt part of the Hiſtory of Independency.* After all this tedious ſtuffe aforeſaid, they make Propoſitions to the Parliament of tvvo ſorts, all founded upon the ſaid five Antimonarchicall Principles; The firſt for *ſatisfying publique Iuſtice*, (that is, for the Hang-man to teach the Iudges vvho they ſhall Sentence to execution) 1. They demand, *the Perſon of the King may be brought to ſpeedy Iuſtice*; this affront they put upon the Parliament vvhen they vvere neer concluſion of their Treaty vvith Him: vvhen He had already granted more to his Subjects than ever any King condeſcended to: this is through the ſides of the King to give Monarchy, the fundamentall Government, and Lavves of this Land, and conſequently the Liberty and Property of the People, their Deaths-vvond. By the lavv of God, nature, reaſon, and the Lavves of all Kingdomes impunity is an inſeparable prerogative of Kings, as they are Supreme in their Dominions; the *Petition of Right*, 3. *Caroli*, Declares, *That they had no povver to hurt the Kings Prerogative*, much leſſe (I thinke) to hurt his Perſon; the Lavves, are the Kings Lavves; Courts the Kings Courts; Iudges his Iudges; Great Seale, his Seale; the VVrits, the Kings VVrits;

Sect. 65, 66, 68, 69, 70, 71, 72, 73, 74, 75, 88, 89, 97, 98.

The Kings Supremacy; and from thence his indempnity proved.

See the Oathes of Allegiance, Supremacy. Stat of Recognition, 1 *Iac.* *Cokes* Inſtitut. 5. 1. *Stamford's* Pleas of the Crowne, l. 1 ch. 1, 2, Stat. 25. *Edvv.* 3, 42. E. 3. Read Mr. *Pryns Memento* to the unparliamentary Iunto, his Speech in the Houſe of Commons, 4. Dec: p. 72, 73, 74, 75, 76, 77. and my 1. part, ſect. 106. The Concluſions; ſect. 17. and my Animadverſions, p. 18.

the Iuſtice and Peace of the Land are his, conſequently the VVars his VVarres; he is the fountaine of all Authority as vvell as of all Honour; *Thou ſhalt not ſpeake ill of the Governour of the People*: therefore not accuſe him. The King hath no Superior nor equall in *England*, contrary to that falſe diſtinction of the *Obſervator*, that he is, *Major ſingulis, minor univerſis.* VVhen *David* vvould have gone forth to Battle, his Army diſſvvaded it, uſing theſe reaſons, *If vve flee they vvill not care for us, neither if halfe of us die, vvill they care for us*; *But thou art vvorth ten thouſand of us*: here you ſee the King is reckoned, *major univerſis*, more than all his Army; and yet that Army vvas (at that time) in effect, all the vvel-affected of the Land; and therefore (by the Anarchicall Principle aforeſaid) the onely People of the Land; for further proofe hereof I appeale to all our Lavvs and Statutes, hovv vvill they Trie him? vvho ſhall Iudge him? vvho are his Peeres, that he may be Legally Tryed like a Freeborne man (for ſure they cannot deny him that right) according to *Magna Charta*, *per legale iudicium parium ſuorum*? It is a grounded Maxime in our Lavves, *The King can doe no vvrong*; vvherefore then vvill they Trie Him, for doing no vvrong? The policy and civility therefore of our Lavves, (and of our Parliament too, in all their Declarations, Remonſtrances, ſo long as they continued (in any ſtate or degree of innocency) alvvaies accuſed his Evill Counſellours and Miniſters, and freed Himſelfe, leſt they gave advantages to ambitious men, *Abſolon-like*, to ſcandalize and dishonour him, and render him lovv and vilde in the eyes of the People; to the diſturbance of the peace of the King and Kingdoms, and ſhaking of the Royall Throne vvhich is alvvaies accompanied vvith an earth-quake of the vvhole Land. * Saint *Peter* bids us, *Submit to every ordinance of man for the Lords ſake, vvhether it be to the King as ſupreme, or unto Governours, as thoſe that are ſent by him.* *Abel* to *Cain*: *Eve* to *Adam*. If a people chuſe a King, it is the act of every particular man, of vvhom the Commonalty conſiſts; and each individuall, nor the whole Commonalty can give him more power then himſelfe hath. But no man hath power over his owne life, neither arbitrarily, nor judicially; but onely over his liberty, which he may ſo give away, as to make himſelfe a ſubject, or a ſlave, this makes him ſo choſen a Ruler, or Protector of them, who have parted with their liberty, and ſubjected to him; and then God, (who only hath power of life & death) inveſts the King with power to be the Miniſter of God, to execute vengeance, not bearing the Sword in vain, *Rom.* 13. See Dr. *Hammonds* Letter to the L. *Fairfax*, *Ian.* 5. 1648.

* 1. Pet. 2. 13. Here the King is called *Supreme*, not *the People*; and though ſaid to be an ordinance of man in ſome reſpects, yet *S. Paul*, *Rom* 13. ſaith, He is ordain'd of God: 2. Governours are diſtinguiſhed, the King is Supreme, and Governors are ſent by him, & his Commiſſion. Beſides it appears, *Gen.* 3. 16. & 4. 7. God gave not to all men that freedome which is ſuppoſed the foundation of ſupremacy, in the people; He made them not maſters of their own liberty, for even then he laid the foundations of obedience in

As free, and not uſing your liberty for a cloake of malitiouſneſſe, but *Feare God, Honour the King*: But theſe rebellious Saints abuſing Chriſtian liberty for a cloake of malitiouſneſſe, vvill (according to their 4th Antimonarchicall Principle) make the giddy, ignorant, tumultuous, many-headed multitude Iudges of their King, and make the confuſed Rabble his Superiours, thereby ſetting up tvvo Superiours one contradictory to the other, and ſo turn the Kingly Government into a popular Military Government, aboliſh our Lavves, and leave all to the povver of the Svvord in an Arbitrary vvay, to carry on their deſigne: to vvhich purpoſe they have lately cauſed their Iourney-men, the preſent Houſe of Commons, to Vote, (contrary to our knovvne Lavves) *That the Supreme Authority of this Nation is in the People of England*, and therefore in themſelves as their Repreſentative. This is a 6. Anarchicall Principle of the Army and their Party, vvho vvanting reaſon to prove it, aſſert it by the Authority of their Mock-Parliament, and muſt novv make it good by the Svvord to juſtifie their proceedings againſt the King and People. Theſe popular principles are meer empty notions, vvhereby the Grandees dravv the Supreme Authority thorovv the People to themſelves, the better to enſlave them; for the liberty of the Commons doth not conſiſt in a licentiouſneſſe to interrupt the Government of their Superiours, and change the Government according to their fancies; but the liberty of the People conſiſts in enjoying the fruits of their labours, their goods, poſſeſſions, eſtates, and their perſonall liberty, according to the knovvne Lavves of the Land. VVhen *Harry Martyn* in *Berkſh:* forbade the People *to ſtand bare at the Seſſions, and doe homage and fealty to their Lords*; he gulled them, and gave them that vvhich vvas not their due, to rob them of that vvhich vvas their due; their Horſes, Goods, Money, plundered from them, for ſervice of the State (forſooth) and beat them that defended their ovvn; ſo that vvhile he flattered them to be the ſupreme Authority and Lords Paramount, and the Parliament to be their Servants; he uſed them like Slaves conquered by the Parliament. Beſides, it is not all the People, nor the thouſandth part of them, but a fevv covetous, ambitious men, that deſire to bring the King to capitall puniſhment, and ſubvert our fundamentall Government and Lavves, that have uſurped the

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povver of the Kingdome into the hands of their Faction, and novv require this to keep themſelves from being called to account. The ſecond demand tends to Diſ-inherit his Poſterity, viz. *That the Prince and Duke of* Yorke *come in by a day appointed, and acquite themſelves of their capitall Delinquency, or elſe to be Declared incapable of Government, and to die without mercy, if afterwards found in the Kingdome*; this Summons is but to inſinuate their guilt; if they refuſe to appeare, as reaſon tells us they muſt and vvill. This is to ſhut the dore after Monarchy, and keep it out for ever; in farther purſuance, they demand *the Revenue of the Crowne* to continue ſtill in Huckſters hands to pay *publique Debts*, and repaire the Loſſes of the People, (that is) themſelves: The ſecond ſort of Propoſitions are, for ſetling of the Kingdome upon their ovvne Grounds and Intereſt, *That a certaine period be ſet to this Parliament, by which time the Supreme truſt in them may returne unto the People*: that is, ſtill to themſelves and their Faction, the nevv erected Committee of State, the *hogen mogens* at *VVhite-hall*. Thus you ſee having removed out of the vvay the King, the firſt and moſt viſible legall Authority; they vvil novv put dovvne the Parliament, the ſecond viſible Authority of *England*, vvho are novv the onely Bulvvarke againſt the Tyranny of the Svvord, and then (as Major *VVhite* ſaid at *Putney* long ſince) there vvil be no viſible Authority left in *England* but the povver of the Svvord, vvich vvil introduce a nevv Parliament, or rather fantaſticall nevv invented Repreſentative (deſtructive to Parliaments) all of their ovvne Creatures; as appeares by their next Propoſition, concerning ſucceſſion of Parliaments. 2. *That none ſhall be capable of Electing, or being Elected, that have engaged againſt the publique Intereſt*, (that is, the Intereſt of them and their Party, as appeares by their 5. Anarchicall Principles in the beginning of this Paragraph) *nor any that oppoſe this Agreement*: By vvhat Authority (but the arbitrary ſvvay of the Svvord) ſhall Freemen be Diſfranchiſed, and loſe their Birth-rights for not changing the fundamentals of Parliaments, Government, and Lavv, and

This is ſo exdlained by the *Moderate* (one of the raling Pen-men of the faction who hath a large ſhare in the 500. or 600l. a yeare allowed to theſe Pamphletiers, for divulging State-lies and ſlanders amongſt the People) who from *Novemb.* 14. to *Novemb.* 21. 1648.) Number 19.) defineth the People of *England* to be onely ſuch as have not engaged for the King; and ſuch as ſhal ſigne to the Agreement of the People, vvhich is to be above Law; and all the reſt are to be Diſfranchiſed.

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yeilding them up to the luſts of an Army of Rebels, that bragge they have Conquered the Kingdome, and vve are their Slaves? 3, *That Elections may be ſo diſtributed, as to render the Houſe of Commons a Repreſenttative of the vvhole People*, (that is, tagge and ragge and Canting Beggers, vvho have nothing to give or loſe, as vvell as Free-holders) ſo farevvel VVrits of Summons, and all orderly, legall formes; if all men, vvithout any diſtinction, may Elect, and be Elected, all vvill fall into confuſion; the Rabble vvill never agree, all things vvill tend to Riots and Tumults; ſo that the better and ſoberer ſort vvill, and muſt forbeare, and leave all in the hands of the Raſcallity, and at laſt no Repreſentative vvill be choſen, or ſuch an one as the People vvill be aſhamed to ovvne, and vvill deſert them, and leave them to be ordered at the pleaſure of the Army. 4. Prop. *That our Kings hereafter may be Elective, and diſclaime a Negative Voice*: hovv frequent Civill VVarres are in all Elective Kingdomes during the *interregnum*, or ſpace betvveen the death of the old, and choice of the nevv King, hovv obnoxious to the Souldiery, let the old Emperours of *Rome*, thoſe later of *Germany*, the Kingdome of *Poland* and heretofore *Bohemia* and *Hungary* tell, all Hiſtories are full of examples; yet if our Elective Kings ſhall have neither the *Militia*, nor a *Negative Voice* in Councels, and the *Crovvne Revenues* be othervviſe diſpoſed of (as is inferred) and their Heads expoſed to the humours of the People, or their Repreſentative, the Office vvil be ſo unvvorthy of any vviſe man, that I do by theſe preſents freely give my voice to the Lord *Fairfax*, and ſo unfit for any honeſt Gentleman; that I doe hereby give my voice to *Cromvvell* the perfidious Brevver: catch vvho catch can, let them agree amongſt themſelves, I care not vvhich of the tvvo ſhal be ſet up for the nevv States Scar-crovv. This *Remonſtrance* vvas about a VVeek after ſeconded vvith a moſt inſolent threatning *Declaration*, compoſed altogether to terror; it vvas occaſioned as follovveth. About the latter end of *November*, the Parliament vvas informed the Army vvas upon their march to *London*, vvhereupon (not vvithout great oppoſition by the Armies Party in the Houſe, and vvith great caution it ſhould be mannerly phraſed for feare of angring his inſolency) a Letter vvas Voted to be ſent the Generall, forbidding his neerer approach. In comtempt vvhere of

the Army immediatly printed the ſaid *Declaration*, accuſing the Parliament of *Breach of Truſt*, *Lightneſſe*, *Inconſtancy*, *Indiſcretion*, ſaying, *They would appeale from them to the People* (that is, ſtill themſelves; you ſee they hold one and the ſame Rod over King and Parliament) and threatning *to advance preſently to VVeſtminſter, to doe what God ſhould enable them unto*: The ſame night they came to *Hyde* Parke corner, and kept Guards there: Hereupon it vvas put to the Queſtion, *That the Armies approach was prejudiciall to the freedome of Parliament*? but through the covvardice of ſome, vvhoſe hearts novv began to melt, and the impudent reſtleſſe bavvling of thoſe cheating Saints, that comply vvith the Army to keep themſelves from giving Accounts, it paſſed in the Negative.

19. The Kings Conceſſions debated; and young S. *Hen: Vanes* inſolency.

Decemb. 2. The Kings Anſvver vvas debated; and as a prologue to it, young Sir *Henry Vane* (a VVhelpe of the old Curre) ſpake thus, *Mr. Speaker, By this Debate we ſhall know who are our Friends, and who are our Foes; or to ſpeake more plainly, VVe ſhall diſcover who are the Kings Party in the Houſe, and who the Peoples*: To vvhich vvas Anſvvered, *That ſince this Gentleman was ſo bold, to deale thus by way of prevention, in a threatning manner; and had forejudged and divided the Houſe into two parts: I hope it is as lawfull for me* (*who am no Grandee, nor no Gainer by our troubles*) *to put you in mind of another Diviſion of the Houſe. Sir, you will find ſome deſirous of peace, and they are Loſers by the VVarre; Others are againſt peace, and thoſe are Gainers by the VVarre: My humble motion is, that the Gainers may contribute to the Loſers, that we may all ſtand upon equall feet; for, till then, the Ballance of the Commonwealth will never ſtand right towards a Setlement.* True jeſts bite ſore. He and his Syre oppoſe peace: leſt the Kings Revenue being reſtored, they ſhould loſe a good Trade there: the old Dogge is Chair-man of that Committee; the young one is a principall Publican or Treaſurer; they get conſtantly above 6000l. *per annum*, betvveen them; beſides private cheats by paying halfe Debts, and taking Acquittances for the vvhole; and then diſcounting for the vvhole; buying in old ſleeping Penſions for trifles, that have not been payed in many yeares, and paying themſelves all Arreares, *Cornelius Holland* is Servant to them both, and hath gotten as much vvealth as makes him ſavvcy enough

nough to hire *VVilliam Lilly*, and other Pamphletiers to derive his Pedigree from *Iohn Holland* Duke of *Exeter*, although it be knovvne he vvas originally a Link-boy, but he is novv one of the Nevv Lights, an illuminated Brother. Maſter *Pryn* moved the debate of the Kings Anſvver might be laid aſide untill it vvas a free Parliament not environed by the Army: but (ſaid *M. Rich: Norton*) *Take heed what you ſay againſt the Army, for they are reſolved to have a free Parliament to Debate the Kings Anſwer, if we refuſe.*

This day the Generall tooke poſſeſſion of *VVhite Hall* for his Quarters, as if he meant to keep out the King in defiance of the Treaty: he brought to Tovvne vvith him foure Foot Regiments, and ſix Regiments of Horſe; part vvhereof quartered at *VVhite-Hall*, the reſt in *Torke Houſe*, and other great Houſes; the Horſe turned the Reformado Horſe Guards that attended the Houſes, and lodged in the *Mewes* by their order, out of their Quarters, vvithout applying themſelves to the Houſes. 20. The Generall Gattiſons *White-hall* & the *Mewes* upon his owne head.

Vpon Monday, *Decemb.* 4. Nevvs came to the Houſe that *by ſeverall Orders from the Generall, His Majeſty was ſeized in His Bed-chamber, and hurried away Priſoner to* Hurſt Caſtle, *a Block-houſe out of the* Iſle of VVight, *ſtanding about a mile and halfe in the Sea, upon a Beache full of mud, and ſtinking oaze upon low tydes; having no freſh water within two or three miles of it, bitter cold, and of a foggy and peſtilent ayre, ſo noyſome that the Guards thereof are not able to endure it long without ſhifting their Quarter.* This vvas a torment beyond Piſtoll and Poyſon, many ſpake againſt the inſolency of this fact, as being committed againſt the life of the King, and againſt the honour and publique faith of the Parliament, vvho had Voted, *He ſhould Treat in Honour, Freedome and Safety, in Newport in the Iſle of VVight*; and had accepted His Royall VVord *not to withdravv out of the Iſland during the Treaty, nor in 20. daies after*; (vvhich vvere not yet expired) and novv to have the Houſes debates & reſults fore-ſtalled, and the Treaty made fruſtrate by ſuch an act of violence and prevention committed upon the Perſon of the King, vvas a preſumptuous and rebellious act: It vvas moved therefore *that it might be Declared, That his Majeſty vvas removed out of the* Iſle of VVight *by his Excellencies VVarrant, vvithout the conſent or privity of the Houſe*: But 21. The Houſe informed that the King was ſurprized by the Army, and carried Priſoner to *Hurſt Caſtle.*

thoſe Members that Idolize that Bell and the Dragon, *the Army*, and are but Prieſts fatting themſelves upon the Sacrifices of that Image; inſiſted upon it to have two words amended in the Queſtion, 1. The word [*Declare*] would be conſtrued to be a Declaring againſt the Generall and Army: 2. The word [*Conſent*] to be left out, leſt it argued a diſagreement in opinion and practice between the Army and the Houſe, as if the Houſe diſſented from it. And certainly thoſe Gentlemen that ſtood upon theſe nicеties, could not ſay, it was done with their conſent, for it was hatched in the Iunto; ſo it was barely voted, *To be done without privity of the Houſe*, nevertheleſſe.

22. The Debate upon the Kings Anſwers reſumed.

The ſame day, they reſolved to reſume their laſt Saturdaies debate upon the Kings Anſwers to the Propoſitions of both Houſes; The firſt Queſtion debated was, *Whether they were ſatisfactory or no?* The Army Party argued, *They were not ſatisfactory, becauſe the King had not granted all their Propoſitions in Terminis*: To this was Anſwered, *That theſe Propoſitions were not ſent to His Majeſty as Bills to be paſſed in Terminis, without debate; but as Propoſitions to be perſonlly Treated upon*, (as the Votes of both Houſes, and the Inſtructions of their Gommiſſioners prove) now it is againſt the nature of all Treaties Perſonall, to tie up the Parties of either ſide ſo preciſely, that they ſhall have no liberty to vary in any circumſtance or particular; ſo that if all be not preciſely granted, the Condeſcentions ſhall not be ſatisfactory, though all juſt things are yeilded to; as appeares by all Treaties betweеn Nation and Nation where their firſt demands are never fully granted, but alwaies qualified and limited, if not diminiſhed; the rule being, *Iniquum petas ut juſtum feras*; ſo in all Treaties betweеn Enemies, Party and Party; ſee Mr. *Pryn's* ſaid Speech, *Decemb.* 4. 1648. where to avoid cavils, he waves this equivocall Queſtion, and propunds the Queſtion anew in theſe tearmes, *Whether the Kings finall Anſwers to the Propoſitions of both Houſes in this Treaty, conſidered all together, be not ſo full and ſatisfactory in themſelves, that this Houſe may, and ought accept of, and proceed upon them for the ſpeedy ſetlement of a ſafe and well-grounded Peace both in Church and Commоn-wealth, rather than reject them as unſatisfactory, and ſo hazard the loſſe of all, and the perpetuating of our Wars and miſeries?* This he held in the Affirmative, with ſo many

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ſtrong and ſolid Reaſons, Arguments, and Preſidents both out of Divinity, Lavv, Hiſtory, and policy; and vvith ſo cleare a confutation of the oppoſite Arguments, that no man tooke up the Bucklers againſt him to refute him: the Arguments are too many, and too long to be here repeated. Nor doe I love to abridge that vvhich hath little or nothing in it ſuperfluous; or to make that ſhort-lined by epitomizing it (ſuch is the lazineſſe of men to preferre Epitomies before Large vvorks) vvhich I deſire ſhould be long-lined, and paſſe through many hands: This Debate laſted untill Tueſday morning, 5. *Decemb.* eight of the clock (the Independents hoping to tyre out and frigh avvay the moderate men) and then it vvas Reſolved upon the Queſtion (notvvithſtanding the terrors and menaces of the Army) *That the Anſvvers of the King to the Propoſitions of both Houſes, are a ground for the Houſes to Proceed upon, for the ſetlement of the peace of the Kingdome*; It vvas carried Affirmatively by 140 Voices, againſt 104. that this Queſtion ſhould be put, and the Queſtion it ſelfe vvas carried cleerly Affirmative vvithout deviding the Houſe: preſently after this Houſe appointed a Committee of 6. Members to attend the Generall, to conferre vvith him and his Officers, and keep a good correſpondency betvveen the Houſe and the Army; vvho had ſo much ſurly pride, and ſo little manners, as to give them leave to take a nap of three or foure hovvers long (after their Nightsvvatching) before admittance, and at laſt diſmiſſed them vvith this churliſh Anſvver, *That the way to correſpond, was to comply with the Armies Remonſtrance*: The Houſe adjourned untill VVedneſday follovving.

VVedneſday, *Decemb. 6.* 1648. The Saints militant being enraged that the Houſe had recovered ſo much courage & honeſty as to Vote according to their Conſciences, and neglect their vvild Remonſtrance and threatning Declaration, (after ſome private conference in the morning betvveen *Pride*, *Hewſon*, & other Officers, and the Speaker in *VVeſtminſter-hall* vvith the dores ſhut) they ſent to the Houſe of Commons a Paper, requiring *that the Impeached Members and M. G.* Brovvne, (vvho they belied to have called in Hamilton) *might be ſecured & brought to juſtice*; *and that the 90. and odde Members who refuſed to Vote againſt the late Scotiſh Engagement, and all that Voted for recalling the 4. Votes for Non-Addreſſes,*

23. The Armies treaſonable violence upon the Houſe in ſecuring and ſecluding their Members.

dreſſes, and Voted for a Treaty, and concurred in Yeſterdaies Vote, [*That the Kings Conceſſions were a Ground for the Houſe to proceed to a Setlement :*] *may be immediately ſuſpend the Houſe, and that all ſuch faithfull Members who are innocent of theſe Votes would by Proteſtation acquit themſelves from any concurrence in them, that they may be diſtinguiſhed:* This is to ſubvert the foundation of Parliaments, and appeale to the judgement of the many-headed multitude vvithout dores, and put all into Tumults. You ſee vvhat kind of Parliament the Kingdome hath had ever ſince the Army Rebelled and Refuſed to Disband; a meer Free-ſchoole, vvhere *Cromwell* is Head-ſchool-maſter, *Ireton* Vſher, and (that cypher) *Fairfax* a Prepoſitor; ſurely theſe men are either the ſupreme Iudges, or the ſupreme Rebels and Tyrants of the Kingdome: This Paper vvas delivered in, but they ſcorning to ſtay for an Anſvver, (by advice of their Independent Grandees of the Iunto) upon VVedneſday morning, *Decemb.* 6. 1648. Sent tvvo or three Regiments of Horſe and Foot to *VVeſtminſter*, ſet ſtrong Guards at the Houſes dores, the *Lobby* ſtaires, and at every dore leading tovvards the Houſe, admitting none but Parliament men to enter *VVeſtminſter-hall*, vvhere Col. *Pride*, Col. *Hewſon*, and *Hardres waller* (ſometimes a Cavalier, then a violent Presbyterian, and novv a tyrannicall Independent) violently ſeized upon divers Knights and Burgeſſes upon the Parliament ſtaires and elſvvhere going to the Houſe, and forcibly carried them avvay Priſoners to the Queens Court vvithout any vvarrant ſhevved, or cauſe aſſigned; and there ſet ſtrict Guards upon them, *M. Edward Stephens* and Col. *Birche* being in the Houſe of Commons vvere called forth by feigned Meſſages ſent in by ſome Officers under other Mens Names, and there violently pulled out of the dore, though they called to the Speaker to take notice of the force: The Houſe ſent the Sergeant of the Mace to command the Impriſoned Members attendance; but the Guards vvould not let them come. A ſecond time the Sergeant vvas ſent vvith his Mace upon the ſame Errand, but Col. *Pride* in the *Lobby* vvould not let him paſſe: vvhich contempt vvas entred in the *Iournall Booke*. Hereupon the Houſe concluded not to proceed in buſineſſe untill their Members vvere reſtored; and ſent to the Generall about it: yet afterwards vvhen the Officers had ſeverall dayes ſecured, ſecluded,

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and frighted avvay more of the Members; and made the Houſe a Conventicle of their ovvne complexion, then the Houſe prevaricated and deſerted their Members: About three of the clock afternoone *Hugh Peters* vvith a Svvord by his ſide, (but not the ſvvord of Saint *Peter*) came into the Queens Court to take a Liſt of the Priſoners Names by order from the Generall (as he ſaid) vvhere being demanded *by vvhat Authority they were Impriſoned?* he Anſvvered, *By the power of the Sword:* Night being come, the Impriſoned Members (41. in number) vvere conveyed avvay to a Victualling Houſe called HELL, and there kept all Night vvithout Beds, or any fitting accommodation, vvhen it grevv late ſome of them had offers made them to go upon their Parolls to their ovvne Lodgings, and to appeare the next morning at *VVhite-hall*; but this vvas but a jugling trick to make them acknovvledge the Lord *Fairfax* Authority, and become voluntary Priſoners upon their ovvne engagement; and vvas therefore refuſed. The next morning being Thurſday, the Impriſoned Members had vvarning given them *to meet the Generall and his Councell of VVarre at VVhite-hall*, vvhither they vvere Guarded in Coaches, tyred out vvith vvatching and faſting: But the mechanick Councel took ſo much ſtate upon them, that after ſix or ſeven hovvers attendance untill darke night, and no admittance nor application to them; they vvere led avvay from thence on foot vvith Guards of Musketiers like Thieves and Rogues, and thorovv the kennels like Col. *Prides* Dray-horſes, to the *Swan* and *Kings-head*, tvvo Innes in the *Strand*, and there diſtributed under ſeverall Centinels: The Souldiers making a ſtand vvith them ſometimes halfe an hovver together in the ſnovv and raine untill they had put their Guards into a marching poſture; and reviling them, *that they were the men that had couſened the State of their money, and kept back their Pay*: Vpon vvhich ſcandalous provocation, ſome of them Anſvvered, *That it was the Committee of the Army, and their ovvne Officers that had couſened them*: vvhich ſome of the Foot-Souldiers then acknovvledged. Beſides the 41. Impriſoned Members, the Officers ſtanding ſeverall daies vvith Liſts of Names in their hands at the Parliament dore, have turned back from the Houſe, and denied entrance unto above 160. other Members, beſides 40. or 50. Members vvho voluntarily vvithdrevv to avoid their violence, all vvhom

See the 2. part of *Englands* Chaines diſcovered; and the Hunting of the Foxes, &c.

vvhom they knovv to be Loſers by the VVarre, and therefore deſirous of a ſafe and vvel-grounded peace; ſo that they have made vvarre againſt the majority of the Houſe, (that is) againſt the vvhole Houſe; for, *major pars obtinet rationem totius*, by all our Lavves and Cuſtomes, *The major part of the Houſe is virtually the whole Houſe*; vvhich is Treaſon by their ovvne Declarations and Remonſtrance farre higher than that vvhereof they accuſe the King, and for vvhich they demand Iuſtice againſt Him: and the remaining faction of 40. or 50. engaged Members vvho novv paſſe unpreſidented Acts of Parliament of the Houſe of Commons (as they call them (vvithout the Lords, ought not to ſit, Act, nor take upon them the ſtile of a *Houſe* under ſo viſible, actuall, and horrid a force, both by the Lavves of the Land, and their ovvne Ordinance, paſſed *Auguſt 20. 1647. To null and void all Orders, Votes, and Acts paſſed under the Tumult of Apprentices, from Iuly 26. to the 6. Auguſt following*; and yet the ſaid Tumult ended the ſaid *Iuly 26.* vvhen it begun. See the ſaid Ordinance herevvith printed. The Army (vvho novv acknovvledge no povver but *that of the Svvord* (as Major *VVhite* long ſince foretold at *Putney*) and vvhoſe principle it is, *To break the Powers of the Earth to pieces*, as *VVilliam Sedgewicke* in his *Iuſtice upon the Army Remonſtrance*, ſaith: *And who* (as *Iob: Lilburne* in his *Plea for Common Right*, *p. 6.* ſaith) *have by theſe extraordinary proceedings overturned all the viſible ſupreme Authority of this Nation, now ſuffer onely their owne Party of 40. or 50. Members to ſit, and doe journey worke under them, who are Enemies to peace and have got well by fiſhing in troubled waters, and hope to get better*; ſo that hardly a ſeventh or eighth part of the Counties, Cities, and Burroughs that ought to have Members ſitting, have any body to repreſent them, and therefore hovv they ſhall be bound by the Votes and Acts of this fagge end, this Rump of a Parliament vvith corrupt Maggots in it, I doe not ſee. Friday, *Decemb.* 8. a Meſſage from the Generall vvas brought to Sir *Robert Harlow* that he might go home to his houſe, giving his engagement not to oppoſe the actings and proceedings of this preſent Parliament and Army: The like vvas offered to divers others: you ſee hereby vvhat the offence of theſe Impriſoned Members is, *onely a feare that they will defend the fundamentall Government, the Religion, Lawes, and Liberties of the Land, the Kings Perſon and Authority, and the being of Parliaments*;

liaments; againſt the Tyrannicall and Treaſonable practices of the Army and their Houſe of Commons.

The ſmall remnant of the Houſe of Commons ſent ſundry times to the Generall to knovv *why he Impriſoned their Members, and humbly to beſeech him to ſet them at liberty if he had nothing againſt them:* But all this vvas but prevarication and falſe ſhevves: for, 1. Their baſe and conditionall vvay of demanding their Liberty [*if he had nothing againſt them*] implies an acknovvledgement of the Generalls juriſdiction and conuſance over them, and an invitation of him to accuſe them. 2. Their ſitting and acting under ſo brutiſh a force before their Members righted, or the honour of the Houſe vindicated, is a deſerting and yeilding up of their Membres & honour. 3. Their Voting an approbation of the matter of the Generall Officers ſcandalous and jugling Anſvver to their ſaid Demands concerning the ſecured and ſecluded Membres (as aftervvards they did) vvithout hearing vvhat the ſaid Members could ſay for themſelves, is cleerly a forejudging and betraying them. 4. Their late Votes, *That no man ſhall peruſe their Iournall Booke of Orders, &c. without ſpeciall leave:* is purpoſely done to barre the ſaid Membres vvho cannot make any perfect Anſvver in confutation of the Scandals caſt upon them by the Generall Councels printed Libell againſt them, vvithout having recourſe to the ſaid Booke, *to ſee what Votes paſſed for Ireland, for the* 200000l. and other matters. To ſay nothing hovv unuſuall and unjuſt it is to keep the Records of the Houſe from the vievv and knovvledge of any man, and yet to expect their obedience to them. 5. Their exceeding ſtrict and ſevere prohibiting the printing any Books not Licenced, and imploying Souldiers to Search all Printing Houſes dayly, is done in ordre to barre the ſaid accuſed Members from publiſhing an Anſvver in their juſtification. 6. Their Summoning Mr. *Pryn* by ordre *to appeare at the Commons Barre*, knovving him to be ſtill a Priſoner to the Army; ſhevves, that the Army and they ſerve each others turnes againſt them. 7. And Laſtly, the Declaration of the preſent Houſe of Commons, dated *Ian. 15.* 1648. is nothing but an eccho of the ſaid Anſvver of the Generall Councell, againſt the ſaid ſecured and ſecluded Members. They that are ſo vvickedly induſtrious to deſtroy theſe Gentlemens credits, doe this as a

24. Reaſons, proving that the remaining faction or Iunto ſitting under the force of the Army, were conſenting to the ſecuring & ſecluding their Members, ſect. 134, 135.

preparative to deſtroy their Perſons, and ſeize upon their Eſtates, for the maintenance of a nevv VVarre, (vvhich they foreſee their violent courſes vvill bring upon them) and for the farther inriching of themſelves, and eſtabliſhing their Tyranny, vvhich they miſcall, *The Liberty of the People.* This violent purge vvrought ſo ſtrongly upon the Houſe, and brought it to that vveakneſſe, that ever ſince it is eleven or tvvelve of the clock before they can get forty Members together to make a Houſe, of vvhich number they ſometimes faile: one time the Members vvould have had the Speaker go on upon buſineſſes vvith a leſſe number than forty; but he knovving all ſo done to be illegall and void, refuſed; and yet (to piece up the Houſe) they permit Mr. *Blagrave*, Mr. *Frye*, and *Humphry Edwards* to ſit as Members, notvvithſtanding their Elections are Voted *void* by the Committee of Elections: and one day an Officer of the Army having taken ſome Members going to the Houſe, and ſecured them in the Tobacco Roome, under Guard; The Speaker not being able to muſter enough to make a Houſe, vvas faine to ſend to the ſaid Officer, to lend him his ſaid Priſoners to make up a Free Parliament: This diſgrace put upon the Impriſoned Members is purpoſely intended as an Invitation to all their Enemies to come in and accuſe them; nay, it can be proved that meanes hath been uſed to ſuborne VVitneſſes againſt them: beſides vvhich, the faction have made a ſtrict inquiſition into their lives and converſations, and have hitherto met vvith nothing.

25. The day after the Houſe purged, in comes Dr. *Cromvvell* & *Hen: Martyn* his Apothecary.

Thus the Houſe being throughly purged, the next day in comes the Doctor *Oliver Cromwell* out of the Country, bringing in under his protection that ſanctified Member *Henry Martyn*, vvho had ſpent much time in plundering the Country, had often baffled the Houſe, and diſobeyed many of their Orders; ſufficient to have made an honeſt man a Malignant liable to Sequeſtration: But *great is the priviledge of the Saints.* It fortuned that day the caſe of the ſecured Members vvas reported to the Houſe, vvhich *Harry* interrupting, deſired them *to take into conſideration the deſerts of the Lieutenant Generall*: vvhich vvith all ſlaviſh diligence vvas preſently done. And the Speaker moved, *that to morrow might be a day of Humaliation to be kept in the Houſe, to humble the Spirits of the Godly*, much overleavened vvith *the Scotiſh Victory.*

That-

That you may the better underſtand hovv farre they meane to be humbled, *Hugh Peters* the Pulpit-Buffon vvas one of their Chaplaines, vvho in ſtead of delivering the Oracles of God, delivered the Oracles of the Councell of VVarre to them, talking obſcurely of Accommodation and Moderation, and adviſing them to adjourne till Monday or Tueſday (I think) that the Army might cut out vvork for theſe Iourney-men of theirs; and might vvorke their vvills upon the City in the meane time, vvhen no Houſe ſhould be ſitting for the Citizens to addreſſe their Complaints to; for in the interim they Garriſoned *Black Fryars*, and S. *Pauls*, reforming it, from the Church of God, to a Den of Thieves; Stable of Horſes, and Brothell of VVhores, and Robbed diverſe Halls in *London* of vaſt ſummes of money by the prerogative royall of the Saints.

The 11. day of *Decemb.* 1648. the ſaid ſecured Members publiſhed a printed Paper, as followveth:

26. A Declaration of the ſecured and ſecluded Members, againſt the violence of the Army.

A ſolemne *Proteſtation* of the impriſoned and ſecluded Members of the Commons Houſe: Againſt the horrid force and violence of the Officers and Souldiers of the Army, on VVedneſday and Thurſday laſt, the 6. & 7. of *Decemb.* 1648.

WE *the Knights, Citizens, and Burgeſſes of the Commons Houſe of Parliament, (above one hundred in number) forcibly ſeized upon, violently kept out of the Houſe by the Officers and Souldiers of the Army under* Thomas *Lord* Fairfax, *comming thither to diſcharge our duties on VVedneſday and Thurſday laſt, being the 6. and 7. of this inſtant* December; *doe hereby, in our Names, and in the Names of the reſpective Counties, Cities, and Burroughs for which we ſerve, and of all the Commons of* England, *ſolemnly proteſt and declare to the whole Kingdome, That this execrable force and open violence upon our Perſons, and the whole Houſe of Commons, by the Officers and Army under their command in marching up againſt their command, and placing ſtrong armed Guards of Horſe and Foot upon them, without and againſt their Order, is the higheſt and moſt deteſtable force and breach of Priviledge and Freedome ever offered to any Parliament of* England; *and that all Acts, Ordinances, Votes and proceedings of the ſaid Houſe made ſince the 6. of*

Decemb. *aforeſaid, or hereafter to be made during our reſtraint and forcible ſecluſion from the Houſe, and the continuance of the Armies force upon it, are no way obligatori, but void and null to all intents and purpoſes: And that all Contrivers of, Actors in, and Aſſiſtants to this unparalell'd force and treaſonable armed violence, are open Enemies to, and profeſſed Subverters of the Priviledges, Rights, and Freedome of Parliament, and Diſturbers of the peace and ſetlement of the Kingdome; and ought to be proceeded againſt as ſuch: and that all Members of Parliament and Commoners of* England, *by their ſolemne Covenant and duty, under paine of deepeſt perjury and eternall infamy, are obliged unanimouſly to oppoſe and endevour to their utmoſt power to bring them to exemplary and condigne puniſhment for this tranſcendent offence, tending to the diſſolution of the preſent, and ſubverſion of all future Parliaments, and of the fundamentall Governement and Lawes of this Realme.*

All which we held it our duties to declare and publiſh to the world, for feare our ſtupid ſilence ſhould give any tacit conſent or approbation to this moſt deteſtable crime, and make us guilty of betraying the Priviledges, Freedome, and Honour of this Parliament, to our perpetuall reproach, and the prejudice off all ſucceeding Parliaments.

Dated at *VVeſtminſter, Decemb.* 11. 1648.

27. The tame Lords and inſolent Commons paſſe and print a Declaration againſt the ſaid Declaration.

The ſaid ſolemne Proteſtation of the ſecured Members being complained of, vvas ſufficiently barked at in the Houſe of Commons; and the Lords fell a barking at it too for company: and at laſt (that they might confute it vvith Authority inſtead of Reaſon) both Houſes paſſed this followving Declaration againſt it:

The Declaration of the Lords and Commons: Againſt the firſt Declaration of the ſecured and ſecluded Members.

THe Lords and Commons aſſembled in Parliament, taking into their conſideration a printed Paper, entituled [A ſolemne Proteſtation of the Impriſoned and ſecluded Members, &c.] *wherein amongſt other things, it is Declared,* That all Acts, Ordinances, Votes, and procedings of the Houſe of Commons, made ſince the 6. of this inſtant *Decemb.* or hereafter to be made during their reſtraint

reſtraint and forcible ſecluſion from the Houſe, and the continuance of the Armies force upon it, are no vvay obligatory, but void and null to all intents and purpoſes: *The ſaid Lords and Commons doe thereupon judge and declare, the ſaid printed Paper to be falſe, ſcandalous, and ſeditious, and tending to deſtroy the viſible and fnndamentall Governement of this Kingdome: And doe therefore order and ordaine the ſaid printed Paper to be ſuppreſſed; and that all Perſons whatſoever that have had any hand in, or given conſent unto the contriving, framing, printing or publiſhing thereof ſhall be adjudged, and hereby are adjudged uncapable to beare any Office, or have any Place of truſt or authority in this Kingdome, or to ſit as Members of either Houſe of Parliament. And doe further order and ordaine, That every Member of either Houſe reſpectively now abſent, upon his firſt comming to ſit in that Houſe whereof he is a Member, for the manifeſtation of his innocency, ſhall diſavow and diſclaime his having had any hand in, or given conſent unto the contriving, framing, printing or publiſhing of the ſaid Paper, or the matter therein contained.*

The preſent viſible Government is the Power of the Sword in the hands of Rebels.

The fundamentall Government of this Kingdome is deſtroyed by the remaining faction in the Ho. of Commons, by their Acts, *For abolifhing Kingly Government, The Houſe of Peers, their putting downe Trials by Iury of 12 men, and ſetting up illegall High Courts of Iuſtice, their uſurping the Supreme Authority, their making Treaſon an Arbitrary crime, their erecting a Councell of State,* or Hogens mogens, forty Tyrants in lieu of one King, their altering the ſtyle of VVrits and legall proceedings, &c. Sentence given before any perſon accuſed or heard to ſpeake for himſelfe. Oh, the brutiſh underſtanding of men whoſe ſinnes and feares have intoxicated their wits!

28. The Conventicle of Commons repeat *extempore* in a thin Houſe under a force, the Votes deliberately paſſed in a full and free Houſe.

The 12. and 13. *Decemb.* the Commons (that they might purge their Iournall Books of all State-hereſies, as vvell as their Houſe of all State-Hereticks) voted this *Index expurgatorius*, vvhich in their ovvne canting language I here preſent to you.

1. *Reſolved, &c. That the Vote of this Houſe,* Ian. 3. 1647. *for revoking the Order,* Sept. 9. 1647. *for ſuſpending Commiſſary* Lionell Copley *from being a Member of this Houſe; is of dangerous conſequence, and tending to the deſtruction of the juſtice and peace of the Kingdome; and is hereby repealed.* The like for the reſt of the impeached Members, *mutatis mutandis.*

2. *Reſolved, &c. That the Vote of the Houſe,* Iune 30. 1648. *whereby this Houſe did concurre with the Lords (for opening of a way to the Treaty with His Majeſty for a ſafe and wel-grounded peace) That the Votes;* Ian. 3. 1647. *forbidding all Addreſſes to be*

made to, or from the King, be taken off; was highly diſhonourable to the proceedings of Parliament, and apparently deſtructive to the good of the Kingdome, (ſure they meant the kingdome of the Saints.) They likevviſe by foure ſeverall Votes, revived the ſaid 4. Votes, *Ian.* 3. 1647. for no Addreſſes, *in terminis.*

3. *Reſolved, &c. That the Vote,* Iuly 28. 1648. *That a Treaty be had in the* Iſle of VVight *with the King in Perſon by a Committee appointed by both Houſes, upon the Propoſitions preſented to him at* Hampton-Court; *was highly diſhonourable, and apparently deſtructive to the good of the Kingdome.* Good Boyes, they can ſay their Leſſons vvell, and apace too, vvhen the Army vvhips them on; they vvill ſhortly have a jubile of play-daies for their paines, 40. or 50. Nevv lights ſnuffed by the Councell of VVarre, can better diſcover vvhat is diſhonourable, and apparently deſtructive to their ovvn Kingdome, then 340. or 244. could doe at other times: If you aske vvhat Debates they had? they could have none: being novv freed from the contradiction of Sinners: being all Birds of a feather, taught the ſame tune by the ſame Maſters, and ſinging in the ſame cage.

The Honſe adjourned.

29. A Proteſt to be entered againſt the Votes, *That the Kings Grants vvere a ground for a Settlement;* a Touch-ſtone of I. *Gourdons.* See the Order, *Dec.* 5. 1648.

Yet the unanimous recalling thoſe Votes vvas not thought (by thoſe that thinke one thing and ſay another) a ſufficient *Teſt* all vvere confidently for them, that voted vvith them; vvherefore godly *Iohn Gourdon* (a Fellovv that ſpits venome as naturally as a Toad) moved, *That a Proteſtation might ſuddenly be drawne up, and every Member to ſet his hand to it, in deteſtation of thoſe repealed Votes.* A Committee vvas appointed accordingly. The 14. *Decemb.* the ſaid nevv-found *Shiboleth* vvas brought in by *Gourdon,* vvhich cauſed divers that vvere not yet mad enough for *Bedlam* to forbeare the Houſe, or rather Conventicle.

30. The *Militia* of the Counties nevv ſetled in Independent hands.

Decemb. 14. They repealed the Ordinance lately paſſed (after mature debate) *for ſetling the County Militias of the Kingdome,* becauſe there vvere ſome Presbyterians in it not vvelaffected to the Army; and in that nevv ſenſe, Malignants: And ordered, *that a nevv Ordinance, with a Liſt of nevv names,* of Saints militant (ſounding like a Ievviſh pedigree) *be brought in;* for (through the indiſcretion of the Presbyterians) the Independents have had the cuſtody of our Purſes a long time, and novv muſt keep our Svvords too, and then, *Stand and deliver,* vvill be the only Lavv of the Land.

About

About this time Major Generall *Browne* one of the Sheriffs of *London* vvas fetched out of the City by a Party of Horſe, and carried before the mechanique Councell of VVarre at *VVhite-hall*, although a Member of Parliament, and conſequently one of their Maſters) vvhere he told them, *he knevv they had nothing to charge him withall, but his honeſt endeavours to preſerve His Majeſty and His Poſterity, together with the Parliament, City, and Kingdome, with the Lawes and Government thereof from being rooted up by them, and if he feared them not.* Col. *Hewſon* (the one-eyed Cobler) vvas ſo ſavvcy as to tell him, *He was too peremptory* at laſt they committed him Priſoner to S. *Iames's.*

31. Sheriff *Browne* carried away out of the City Priſoner to S. *Iames's.*

And that he might not vvant company, they ſent a VVarrant to Capt. *Lawrence*, Marſhal Generall, to remove Sir *VVill: VValler*, Sir *Iohn Clotworthy*, Major Gen: *Maſſey*, and Commiſſary Generall *Copley* from the *Kings head* to him.

32. Sir *Will. Waller*, &c. removed S. *Iames's.*

The Marſhall ſhevving them the VVarrant, they Proteſted againſt the Authority, and offered the Proteſt to the Marſhall in vvriting, deſiring him to ſhevv it to the Generall; vvhich he refuſing to receive, Sir *VVill: VValler* deſired all the company to vvitneſſe vvhat Proteſtation they did make in behalfe of themſelves, and all the Free-borne people of *England*, againſt the violent and illegall encroachments of the Generall and Councell of VVarre, againſt the Lavves and Liberties, and read it aloud; as follovveth,

33. They proteſt againſt the Generals Authority.

A Declaration of the taking avvay of Sir *Will: Waller*, Sir *Iohn Clotworthy*, Major Gen: *Maſſey*, and Colonel *Copley*, Members of the Houſe of Commons, from the *Kings-head* in the *Strand* to S. *Iames's:* Together vvith their Proteſtation read at their removall. VVith a Copy of the L. Generals Order for the ſame. Tueſday, *Decemb.* 12. 1648.

Marſhall *Lawrence* came and acquainted Sir *VVilliam VValler*, Sir *Iohn Clotworthy*, Major Gen: *Maſſey*, and M. *Lionell Copley*, Members of the Houſe of Commons, *That he had Orders from the Lord Generall and Conncell of the Army, to remove them from the other Priſoners to S.* Iames's: They replied to him, *That they deſidered to ſee his Orders:* the Marſhall Anſvvered, *Thy were onely verball*; but the Gentlemen inſiſting to ſee a VVarrant for their remove;

remove; the Marſhall vvent to the Generall, and from him about ſix a clock brought an Order; a true Copie of vvhich follovves, *viz:*

YOu are upon ſight hereof, to remove Sir Will: Waller, *Sir* Iohn Clotworthy, *Major Generall* Maſſey, *and Colonel* Copley, *from the* Kings-head *Inne (vvhere they are novv in Cuſtody) to Saint* Iames's: *and for ſo doing, this ſhall be your Warrant.*

Given under my hand. *Decemb.* 12. 1648.

To Marſhall Generall Lavvrence.

T: Fairfax.

This Order being ſhevved unto the foreſaid Gentlemen, S. *VVilliam VValler* produced a Paper, deſiring *that the ſame might be preſented to the Generall*; vvhich Marſhall *Lawrence* refuſed to receive: upon vvhich, the ſaid Sir *VVilliam VValler*, and the other three Gentlemen, defired the ſaid Marſhall and all the Gentlemen there preſent, to attend and vvitneſſe to that Proteſtation vvhich they did there make in behalfe of themſelves, and all the Commons & Free-borne Subjects of *England*; ſo vvith a diſtinct and audible voice read their Proteſtation, as follovveth,

WE whoſe Names are hereunto ſubſcribed, being Members of the Houſe of Commons, and Free-men of England, *doe hereby Declare and proteſt before God, Angels, and Men, That the Generall and Officers of the Army, being raiſed by the Authority of Parliament, and for defence and maintenance of the Priviledges thereof; have not, or ought to have any power or juriſdiction to apprehend, ſecure, deteine, impriſon, or remove our Perſons from place to place by any colour or authority whatſoever; nor yet to queſtion or trie us, or any of us by Martiall Law, or ortherwiſe, for any offence or crime whatſoever, which can or ſhall be objected againſt us: And that the preſent Impriſonment and removall of our Perſons is a high violation of the Rights and Priviledges of Parliament, and of the Fundamentall*

Fundamentall Lawes of the Land, and a higher uſurpation and exerciſe of an Arbitrary and unlawfull power, then hath been heretofore pretended to, or attempted by this or any King or other power whatſoever within this Realme; notwithſtanding which, VVe and every of us doe Declare our readineſſe to ſubmit our ſelves to the Legall triall of a Free Parliament, for any crime or miſdemeanour that can, or ſhall be objected againſt us.

In vvitneſſe vvhereof, vve have hereto ſubſcribed our Names, the 12. of *December*, 1648.

At the *Kings-head* in the *Strand.*

VVilliam VValler, *Edward Maſſey*,
Iohn Clotworthy. *Lionell Copley*.

34. Foure ſecured Members diſcharged.

About this time, Mr. *Pelham*, Mr. *Lane*, Mr. *Vaughan*, Sir *Simon Dewes* (Members ſecured) vvere ſet at liberty vvithout any engagement, although at firſt it vvas demanded *they ſhould engage not to attempt any thing againſt the preſent actings of this Parliament and Army*; vvhich they refuſed.

35. The Agreement of the People publiſhed and Anſwered.

About *Decemb.* 11. 1648. vvas delivered into the vvorld a monſtrous Beggers Brat, called [*The Agreement of the People.*] It is very judiciouſly Anſvvered by Mr. *VVilliam Aſhurſt*; all the Contents thereof is in the *Remonſtrance of the Army*, 20. *Nov.* 1648. vvhereof I have ſpoken already.

1. It propoſeth, *That the People* (that is, ſome ſmall part of the People, the Army and their faction) vvithout any colour of Lavv or Right *ſhould agree together to take away finally the preſent Government by King, Lords, and Commons*, vvhich the Kings Party heretofore charged upon the Parliament as their Deſigne for vvhich they fought; vvhereupon, the Parliament to vindicate hemſelves, publiſhed many Declaratione, and paſſed ſundry Votes, *That they would not alter the Government by King, Lords, and Commons*; it alſo takes avvay the legall right from Burroughs to chuſe members of Parliament; this admitted, they may as vvell conſpire to take avvay any Lavv, or any mans Life or Eſtate, by vvhich rule vve could enjoy nothing but at the vvill of any number of men that ſhall call themſelves *The People*. And upon the ſame ground that thoſe that ſhall ſubſcribe this *Agree-*

ment may call themſelves *the People*, may thoſe that ſhall refuſe to ſubſcribe call themſelves *the People*, and upon farre better grounds, as being farre the more numerous, and ſtanding for defence of thoſe auntient Lavves, vvhich doe conſtitute the People and Common-vvealth of *England*, vvhich vvill breed infinite confuſions and diviſions: and vvhat thoſe that call themſelves *the People* novv agree to, they may alter upon the next change of humour or intereſt.

2. The inconveniences of the preſent Government have not yet been plainly diſcovered, nor no Triall hath been made by the preſent knovvne legall povver of *England*; vvhether thoſe inconveniences may not be removed vvithout ſubverting the preſent Government, and introducing ſo totall a change as vvill be very dangerous and grivous to all ſorts and conditions of men.

3. In the Proteſtation, *May* 5. 1641. and the Covenant, *Septemb.* 27. 1643. vve are bound to defend Parliaments, and to oppoſe and bring to puniſhment all ſuch as ſhall endeavour the ſubverſion of Parliaments, vvhich this Agreement cleerly doth.

4. This Agreement encroacheth deſperately upon the liberty of the people of *England*, in the Election of this Repreſentative; depriving them that have conſtantly adhered to this Parliament as vvel as the Kings party (if they cannot in conſcience ſubſcribe it) from Electing, or being Elected; yet they ſhall have Lavves and Taxes impoſed upon them by Subſcribers, vvho are the leaſt, and the leaſt conſiderable party of the Kingdome; and upon vvhom they conferre no truſt; vvhich is to disfranchiſe the Nonſubſcribers, and reduce them to the condition of Conquered Slaves. It is a knovvne Maxime in Lavv, *Quod omnes tangit, ab omnibus tractari debet*, vvhat concernes all men muſt be debated and agreed to by all men, either perſonally or repreſentatively.

5. It vvill raiſe factions and feudes betvveen the Subſcribers and Non-ſubſcribers of the Parliament party.

6. It takes avvay Magiſtracy and Government, not onely by placing ſuch a Supreme povver over them as is diſputable; nay, apparently illegall: But by making the heady multitude (*the People*) ſupreme Iudges over the ſaid Repreſentative: for although it inflicts the penalty of death upon the Reſiſters of their Orders;

yet

yet is vvith this *salvo*, except ſuch Repreſentative ſhall expreſly violate this Agreement, vvhich makes every man or number of men that ſhall get povver into their hands Iudges of it; nor is there any other Iudge deſigned: and (if there vvere) vvho ſnall judge that Iudge? *& ſic in infinitum*, the legall ſupreme Truſt of all publique intereſts being taken avvay, our vagabond thoughts vvander in a circle, not knovving vvhere to repoſe our truſt, all Iudges, all Councels may erre, but the raſcall multitude are the very ſinke of errors and corruptions. If therefore the Supreme, the Repreſentative have ſo unſtable an authority, vvhat ſhall the ſubordinate Magiſtrate acting under them have?

7. It ſmels ſo much of the Ieſuite, that it tolerateth Popery in private Houſes; contrary to the knovvne Lavves of the Land: Popery (like the old Serpent) if it once get in the head, vvill ſoon inſinuate the vvhole body, being ſo vvell backed by potent Princes and Councels from beyond Sea. And truly I knovv not vvhat to ſay againſt Popery, vvhere Hereſie, Schiſme, Atheiſme, and Blaſphemie are openly tolerated, and exempted from the povver of the civill Magiſtrate, as in this Agreement.

8. It vvill loſe *Ireland*; the managing of the VVarre there being legally in this Parliament by Act paſſed, not in this nevvfangled Repreſentative:

9. It divides us from *Scotland*.

10. It deſtroyes the Cauſe for vvhich the Parliament ſo often Declared, Voted, Proteſted and Convenanted that they fought, viz. *Defence of Parliaments, Religion, Lawes and Liberties*, and beſtovves the Cauſe upon the King, as if He onely (from the beginning) had fought for them: vvhich all men have reaſon to believe, vvhen they ſhall ſee the Parliament make ſuch ill uſe of their Victory, as to root them all up. And this and all other Parliament Armies vvere Commiſſioned *to preſerve this Parliament*; by this Authority they have their Pay and Indemnity, vvithout vvhich they are Thieves, Rebels, and Murderers.

11. It demands, that there be no Lavvyers nor Lavves, but nevv Rules in Engliſh to be made from time to time by the nevv Repreſentative, vvho are to be choſen and truſted onely by a ſmall faction of Subſcribers, (as hath been ſaid) according to vvhich juſtice ſhall be adminiſtred, not by Mayors, Sheriffs, Iuſtices of

the peace, Officers alvvaies ready, but by Hundred Courts, vvho are to ſupply the roome off all the Iudges and Lavvyers of the Kingdome: and all this to lie in the breſts of 12 Men in every Hundred (of the Tribe of the Godly be ſure) vvho peradventure can neither vvritte nor read, nor have reſponſible Eſtates to ſatiſfie vvrongs done: theſe ſhall doe juſtice by providence and revelation.

12. It deſtroyeth all great and publique Intereſts (and therefore cannot ſtand) Kings, Lords, Souldiers, Magiſtrates, Parliaments, Lavvyers, Miniſters, vvho vvill oppoſe it becauſe it confounds and deſtroies Religion, and depriveth the Miniſtery of its lot, Tythes; ſtopping their mouthes vvith famine, purpoſely to caſt them off: and generally all men of quality and diſcretion vvill vvithſtand it; becauſe it gives no ſecurity for enjoyment of liberty and property, nor for increaſe of learning, civility, and piety; vvho then are left to ovvne and ſubſcribe it but deſperate forlorne Perſons, vvho, becauſe they cannot bring their actions under the protection of our preſent Lavvs and Government, vvill bring the Lavvs and Government to their ovvn corrupt vvills and intereſts, and therefore vvill ſigne this *Agreement:* no obedience being given to this Repreſentative, but upon condition (*that they kept this Agreement*(and there being no other Iudges of their keeping it but the Subſcribers; vvho in the reſult of all, have the Lavv in their ovvne VVills.

36. This Agreement of the People was condemned by the Houſe of Commons, 9. *Nov.* 1647.

This *Agreement of the People* is the ſame vvhich vvas ſubſcribed by 9. Regiments of Horſe, and 7 of Foot, and preſented, vvith a Petition to the Houſe of Commons, *Novemb.* 5. 1647. by the Agitators, *Gifforde* the Ieſuite being then in the *Lobby* vvith them, and very active therein. Vpon reading and debate hereof, the Houſe then declared their judgements againſt it by paſſing theſe Votes:

Die Martis, 9. Nov. 1647.

A Paper directed to the Supreme Authority of the Nation, the Commons in Parliament aſſembled, The juſt and earneſt Petition, of thoſe whoſe Names are ſubſcribed, in behalfe of themſelves and all the Free-borne people of England: *Together vvith a Paper annexed, intituled, An Agreement of the People for preſent and future peace. upon grounds of Common Right, avowed.* Hovv theſe Papers come

novv

novv to be ovvned, thoſe that oppoſed them violently ſecured by the Army, by the connivence (at leaſt) of the dregs of the Houſe novv ſitting, let the Saints novv voting in the Houſe examine their pockets, for (I am confident) their conſciences had no hand in the buſineſſe.

Reſolved, &c. That the matters contained in theſe Papers, are deſtructive to the beings of Parliaments, and to the fundamentall Government of the Kingdome.

Reſolved, &c. That a Letter ſhould be ſent to the Generall, and thoſe Papers incloſed; together with the Vote of this Houſe upon them: and that he be deſired to examine the proceedings of this buſineſſe in the Army, and returne an Account thereof to this Houſe.

37. The ſaid Agreement damned by the General & Councell of VVarre, and a Souldier ſhot by ſentence for promoting it.

The Generall and Councell of VVarre in purſuance of this Vote, condemned one of the Agitators vvho promoted it, and ſhot him to death at *VVare* (you ſee vvhat it is to doe a thing unſeaſonably, this Deſigne of the Army and their Party vvas not yet ripe) vvherevvith they acquainted the Houſe; yet they kept in the ſame fire in the City ſtill, vvhere ſome of their Confederates, 23. of the ſame *Novem.* ſent the ſame *Agreement*, &c. incloſed in a Letter, vvith a Petition into the Houſe of Commons: vvhere-upon the Houſe (giving thanks to the Generall for the execution done at *VVare*, and deſiring him to examine that buſineſſe to the bottome) unanimouſly paſſed theſe Votes:

Die Martis, 23. Nov. 1647.

38. The ſaid Agreement condemned by the Houſe a ſecond time, 23. *Novemb*, 1647.

A Petition directed *to the Supreme Authority of* England, *the Commons in Parliament aſſembled*, and entituled, *The humble Petition of many Free-borne People of England*, ſent in a Letter directed to Mr. Speaker, and opened by a Committee thereunto appointed, vvas read the firſt and ſecond time.

Reſolved, &c. That this Petition is a ſeditious and contemptuous avowing and proſecution of a former Petition and Paper annexed, ſtiled, An Agreement of the People, formerly adjudged by this Houſe to be deſtructive to the being of Parliaments, and fundamentall Government of the Kingdome, &c.

Reſolved, &c. That Tho: Prince, *Cheeſe monger, and* Sam: Chidley, *be forthwith committed Priſoners to the Priſon of the* Gatehouſe, *there to remaine Priſoners during the pleaſure of this Houſe, for a ſeditious and contemptuous avowing and proſecution of a former*

Petition and Paper annexed, ſtiled, An Agreement of the People, formerly adjudged by this Houſe deſtructive to the being of Parliaments, and fundamentall Government of the Kingdome.

Reſolved, &c. That Ieremy Ives, Tho: Taylor, and VVill: Larner, *be forthvvith committed Priſoners to the Priſon at* Nevv-gate, *&c. as laſt aforeſaid, in Terminis.*

Afterwards by an Ordinance, *Decemb.* 17. 1647. *for Electing Common-Councel-men, and other Officers in London*, they expreſly ordained, *That no Perſon vvho hath contrived, abetted, perſvvaded, or entred into that Engagement, entituled,* [*The Agreement of the People,*] *declared to be deſtructive to the being of Parliaments, and fundamentall Government of the Kingdome; be elected, choſen, or put into the Office of the Lord Major of the City of* London, *Sheriffe, Alderman, Deputy of a VVard, or Common-Councel-man of the ſaid City, or ſhall have any voice in the election of any ſuch Officers, for the ſpace of one vvhole yeare; and be uncapable of any of the ſaid Places:* yet novv theſe petty Fellovves keepe the vvhole City in avve.

39. Yet this Agreement ſince inſerted into the Remonſtrance of the Army, owned by the Generall and Councell of VVarre; and *Nov.* 20. 1648. obtruded upon the Houſe.

Theſe multiplied Votes and Ordinance, laid this *Agreement of the People* aſleep untill the beginning of *November*, 1648. vvhen (to hinder the peace of this Kingdome, and reliefe of *Ireland*) the Ieſuits and Agitators proſecuted it againe in the Army, and inſerted it againe *verbatim* in the *Remonſtrance of the Army*, *Novemb.* 20. 1648. *to breake off the Treaty with the King, bring him to capitall puniſhment, and caſt the odium of all upon the Parliament*: And the Generall and his Councell of Officers (though they had formerly ſhot a Souldier to death for proſecuting it) unanimouſly approved it at Saint *Albons*, *November* 16. 1648. and obtruded it upon the Houſe the 20. *Novemb.* and vvhen they found the Houſe ſo reſolute in the Treaty as to proceed, they firſt ſeized the Perſon of the King, and carried Him to *Hurſt-Caſtle*, as aforeſaid; and vvhen the Houſe at laſt cloſed up the Treaty vvith this Vote, *That the Kings Anſwers to the Propoſitions of both Houſes were a ground for the Houſes to proceed upon towards a ſettlement:* They ſeized upon 41. Members of Parliament, ſecured them, and villanouſly treated them; ſecluded above 160. and frighted avvay at leaſt 40. or 50. more, leaving onely their ovvne *Somerſet-houſe* Iunto of 40. or 50. thriving Members ſitting

40. VVhy they purged the Houſe.

ting to Vnvote in a thin Houſe under a force, vvhat had been voted in a full and free Houſe; To vote dovvne the Kingly Office and Houſe of Peers, to vote the Supreme Authority to be in the People, and in the Houſe of Commons as their Repreſentative, clean contrary to their three laſt recited Votes. To bring the King to capitall puniſhment before a nevv invented, illegall, mixed Court (conſiſting of engaged Perſons) erected for that purpoſe, that hath neither foundation by preſcription nor Lavv, and to erect a Councell or Committee of States, out of their number (in the nature of Lords, States Generall, or Hogen Mogens) vvith an unknovvn and therefore unlimited Authority, to continue in being after the diſſolution of this Parliament. So farevvel Kings, Lords, and Commons, Religion, Lavves and Liberties, and all Votes, Declarations, Remonſtrances, Proteſtation and Covenant, made heretofore only to gull the People, and carry on their deſigne.

41. Diverſe Lords doe homage to the Generall, and wave their honours.

About 19. *Decemb.* divers Lords vvent to doe homage to the Generall, to expreſſe their good affections to him, and their concurrence vvith him for the common good, and their readineſſe to vvave their priviledges and Titles if they ſhall be found burdenſome to the liberty of the People, and had a gracious nod for their paines.

42. An Ordinance to curb the City in electing Officers.

About this time the Lords & Commons paſſed an Ordinance *for electing Common-Councel-men and Officers in* London *for the yeare following*, to this effect, *That no Perſon that hath been impriſoned or ſequeſtred* (rightfully or vvrongfully) *or hath aſſiſted the King againſt the Parliament in the firſt or ſecond VVarre, or hath been aiding or aſſiſting in bringing the Scots Army to invade this Kingdome, or did ſubſcribe or abett the treaſonable Engagement,* 1647. *or that did ayde, aſſiſt, or abett the late Tumult vvithin the Cities of* London *and* VVeſtminſter, *or the Counties of* Kent, Eſſex, Middleſex, *or* Surrey, *ſhall be elected, choſen, or put into the Office or Place of Lord Mayor of* London, *Alderman, Aldermans Deputy, Common Councel-man, or into any office or place of truſt vvithin the City, for the yeare enſuing, or be capable to give his voice for chuſing any Perſon to any the Offices aforeſaid; And, that if any Perſons comprehended under the aforeſaid exceptions being choſen, ſhall preſume to ſit in the Court of Aldermen, Common-Councell, or execute any of the*

the aforeſaid Offices, he ſhall forfeit 200. *And all ſuch Elections to be null and void; the Lord Mayor to take order that this Ordinance be read at all Elections, and punctually obſerved: and alſo to afford the liberty of the Pole, it being required by any of the Electors preſent.* But this Ordinance not giving full ſatisfaction to the Zealots,

Skippon moveth for an Addition to the ſaid Ordinance.

Skippon ſtood up, and looking as demurely as if he meant to ſay Grace, he told the Houſe, *That the late Ordinance was not ſufficient to keep Malignants out of Office in* London, *for Mr. Speaker* (ſaid he) *It is not enough to exclude Delinquents, or the Abetters of the late Inſurrections, &c. for there are a more dangerous ſort of men amongſt them: They which promoted the Treaty, and endeavoured to have the King brought to* London, *except theſe be made incapable of Authority, it will be a great diſcouragement to the Godly party of the City.* So an additionall Ordinance to this end vvas ordered to be brought in; you ſee to endeavour peace and ſetlement, is accounted by theſe Saints militant a ſufficient crime to forfeit a mans Brith-right.

43. The Members ſubſcribe *Iohn Gourdons* Proteſtation, ſect. 29.

I formerly told you of *Iohn Gourdons* motion, *That all Members might ſubſcribe a Proteſtation againſt the Votes for a Treaty with the King in the* Iſle of VVight, *and eſpecially againſt the Vote*, 5. Decemb. 1648. vvhich declareth, *That His Majeſties Anſwers to the Propoſitions of both Houſes were a ground for the two Houſes to proceed to a ſetlement*: and untill ſuch diſſent or diſapprovall to forbeare the Houſe: This vvas done in obedience to the demands of the Army in their *Remonſtrance* preſented 20. *Novemb.* 1648. And although it be ſo clearly againſt the Orders and Priviledges of Parliament, that divers Members formerly (and ſome this Parliament) have been ſuſpended the Houſe, and committed to the Tovver for offering it, becauſe it tends to breed factions and diviſions in the Houſe, and Tumults vvithout dores; yet every requeſt from an Armed man is a Command and muſt be obeyed.

Sect. 23.

The *Liſt* of the Names of theſe nevv Proteſtants follovveth, and (it is hoped) they vvill in time give better Reaſons then (*the power of the Sword*) for it, 20. *December*, 1648. ſubſcribed, The Lord *Lyſle*, Col. *Boſwell*, *Io: Gourdon*, Lord *Gray*, *Peregrine Pelham*, Col. *Iones*, Col. *Temple*, Col. *Ven*, Sir *Tho: Malevourer*, Sir *Thomas VVrothe*, Sir *Io: Bourcher*, Col. *Peter Temple*, *Humphry Edwards* (vvho vvaited on the King to the Houſe vvhen he demanded the

5. Members,

5, Members, and his Election is adjudged void by a Committee) Mr *Thos Challoner*, Sir *Gregory Norton* (who gave a man 20l. to wait on the King in his place as Penſioner when He demanded the 5. Members) *Michael Oldſworth*, *Auguſtine Garland*, Sir *Io: Danvers*, Mr. *Dove*, Mr. *Henry Smith*, Mr. *Frye* (whoſe Election is voted void) Mr. *Searle*, *Nich: Love*, *John Lyſle*, Col. *Rigby*, *Cornelius Holland*, Col. *Ludlow*, *Greg: Clement*, Col. *Pureſoy*, Col. *Stapeley*, Mr. *Dunch* Mr. *Cawley*, Col. *Downes*, *Io: Carey*, *John Blackiſton*, *Tho: Scot*. Decemb. 22. Col. *Hutchinſon*, Sir *Hen: Myldmay*, Sir *James Harrington*. Decemb. 25. Col. *Edward Harvey*. Alderman *Pennington*: Alderman *Atkins*, *Dan: Blagrave* (voted out of the Houſe) Col. *Moore*, Col. *Millington*, Mr. *Prideaux*, *Roger Hill* the little Lawyer, *Dennis Bond*, Col. *Harrington*, Maſter *Hodges*, Mr. *Valentine*.

44. Sixteene of the impriſoned Members were about this time ſent for by the Generall; when they came, out came *Ireton*, and finding Mr. *Pryn* amongſt them, he chid the Martiall for bringing him, and commanded him to be taken away; but Mr. *Pryn* refuſing to depart, *Ireton* commanded him to be thruſt out by head and ſhoulders: whereupon Mr. *Pryn* openly proteſted, *That the Army endeavoured utterly to ſubvert the fundamentall Lawes of the Land, and Priviledge of Parliament. That they had no power over him, nor any Member of Parliament. That their late force acted upon them, and their proceedings was illegall, and trayterous. That all men were bound to bring them to condigne puniſhment as Rebels and Traytours to their God, their King, Countrey and Parliament.*. So Mr. *Pryn* was removed by the Marſhall, and *Ireton* went in once more to conſult the Oracle, & at laſt came out again to the Gent: telling them, *It was the Generalls pleaſure they ſhould be all releaſed, attempting nothing againſt the actings of this preſent Parliament and Army, but* (ſaid the inſolent Fellow) *let that be at your perill*: ſo the Gentlemen expreſſing *that they would give no engagement*, were releaſed without any.

Sixteen impriſoned Members diſcharged without engagement.

45. The 22. *Decemb.* both Iuntoes of foure Lords, and twenty Commons, kept a mock Faſt at Saint *Margarets, Weſtminſter*; where *Hugh Peters* the Pulpit-Buffon, acted a Sermon before them; the ſubject of his Sermon was, *Moſes leading the Iſraelites out of Aegypt*: which he applied to the *Leaders* of this *Army*,

A mock Faſt kept by the two Houſes, and H. *Peters* comick Sermon,

whoſe deſigne is, *to lead the people out of Aegyptian bondage: But how muſt this be done? that is not yet revealed unto me* (quoth *Hugh*) and then covering his eyes with his hands, and laying downe his head on the cuſhion, untill the People falling into a laughter, awakened him: He ſtarted up, and cried out, *Now I have it by Revelation, now I ſhall tell you; This Army muſt root up Monarchy, not onely here, but in* France *and other Kingdomes round about; this is to bring you out of* Ægypt: *this Army is that corner ſtone cut out of the Mountaine, which muſt daſh the powers of the earth to pieces. But it is objected, The way we walke in is without preſident; What thinke you of the Virgin* Mary? *was there ever any preſident before, that a Woman ſhould conceive a Child without the company of a Man? this is an Age to make examples and preſidents in.*

46. The Councell of War vote a Toleration of all Religions.

Decemb. 25. The Councell of Warre voted *a Toleration of all Religions:* you ſee they vote like States men, as well as their Parliament.

47. The Common Councell petition againſt *Skippons* additionall Ordinance in vaine.

About this time, a Committee of Common-Councel-men came complainning to the Houſe of *Skippons* additionall Ordinance, *That none ſhould Elect, or be Elected, or execute the Place of Lord Mayor, Alderman, Aldermans Deputy, Common-Councellman, &c. that had ſigned the Petition for a Perſonall Treaty, &c.* becauſe they found the City generally ingaged in the ſaid Petition; ſo that they could not find Men enough to Elect, or be Elected: Wherefore it was referred to a Committee to thinke of a remedy worſe than the diſeaſe, as it proved afterwards. You ſee the petitioning for a *Perſonall Treaty* was ſo univerſall and publique that it could not be carried on by any private deſigne in Conventicles and corners; as are all the bloudy *Petitions for Juſtice, juſtice againſt capitall Delinquents, and the moſt High*, which being penned and ſolicited by the Army, or ſectary Committeemen, and ſubſcribed and proſecuted by ſome few beggerly Schiſmaticks without Cloakes in the *Names of whole Counties*, (whom they had the impudence to belie) were entertained in ſtate; and they, and that wel-affected County (though they abhorred the villany) thanked for their paines.

* 48. *Somerſet-ſhire* encouraged by the Houſe to aſſociate all the welaffected, *i.e.* all the *Anarchiſts* and *Cheaters*.

* 25. *Decemb.* The Houſe voted a Letter to be ſent by way of encouragement to the County of *Somerſet*, *to go on with ſetling their*

their aſſociation with the welaffected, and forces of the Counties adjacent; this is to aſſociate & Arme all the Schiſmaticks, Committee-men, guilty and deſperate Perſons, Antimonarchiſts, and Anarchiſts, againſt all the peaceable and honeſt men of the Kingdome.

26. *Decemb.* Mr. *Pryn* ſent a Letter to the Generall, demanding his liberty; and ſeconded it with a Declaration, as followeth: 49. Mr. *Pryns* Letter to the Generall, demanding his liberty

Mr. *Pryn's* Demand of his Liberty to the Generall, *Decemb.* 26. 1648. with his Anſwer thereto. And his Declaration and Proteſtation thereupon.

For the Honourable *Lord* Fairfex, *Generall of the preſent Army.*

THeſe are to acquaint your Lordſhip, That I being a Member of the Commons Houſe of Parliament, a Free-man of England, *a great Sufferer for, and an Aſſertor of the Subjects Liberties againſt all Regall and Prelaticall tyranny, and no way ſubject to your owne, your Councell of Warres, or Officers military power or juriſdiction, going to the Houſe to diſcharge my duty on the 6. of this inſtant* December, *was on the ſtaires next the Commons Houſe dore, forcibly kept back from entring the Houſe, ſeized on, and carried away thence, (without any pretext of Lawfull Authority thereto aſſigned) by Colonel* Pride, *and other Officers and Souldiers of the Army under your Command. And notwithſtanding the Houſes demand of my enlargement both by their Sergeant and otherwiſe; ever ſince unjuſtly detained under your Marſhals cuſtodie, and toſſed from place to place, contrary to the knowne Priviledges of Parliament, the Liberty of the Subject, and fundamentall Lawes of the Land, which your are engaged to maintaine againſt all violation. And therefore doe hereby demand from your Lordſhip my preſent enlargement, and juſt liberty, with your Anſwer hereunto.* 50. Mr. *Pryns* Declaration ſeconding his ſaid Letter,

From the *Kings-head* in the *Strand*,
Decemb. 26. 1648.

William Pryn.

This was delivered to the Generals owne hands at his Houſe in *Queen-ſtreet*, about three of the clock, the ſame day it beares

date; by Doctor *Baſtwicke*: Who returned this Anſwer by him, upon the reading thereof:

THat he knew not but Mr. Pryn *was already releaſed, and that he would ſend to his Officers to know what they had againſt him.*

Who it ſeemes act all things without his privity, and ſteere all the Armies preſent counſels and deſignes according to their abſolute wills.

The publique Declaration and Proteſtation of *William Pryn* of *Lincolnes Inne*, Eſquire; Againſt his preſent Reſtraint, and the preſent deſtructive Councels and Ieſuiticall proceedings of the Generall, Officers, and Army.

I William Pryn, *a Member of the Houſe of Commons and Freeman of* England; *who have formerly ſuffer'd 8. years Impriſonment (four of them cloſe, three in exile) three Pillories, the loſſe of my Eares, Calling, Eſtate, for the vindicating of the Subjects juſt Rights and Liberties againſt the arbitrary tyranny and injuſtice of King and Prelats, and defence of the Proteſtant Religion here eſtabliſhed; ſpent moſt of my ſtrength and ſtudies in aſſerting the Peoples juſt freedome, and the power and priviledges of Parliament, againſt all Oppoſers, and never received one farthing (by way of damages, gift, or recompence) or the ſmalleſt benefit or preferment whatſoever, for all my ſufferings and publick ſervices; Doe here ſolemnly declare before the moſt juſt and righteous God of Heaven and Earth (the Searcher of all hearts) the whole Kingdome, Engliſh Nation, and the World, that having according to the beſt of my skill and judgment, faithfully diſcharged my truſt and duty in the Commons Houſe, upon reall grounds of Religion, Conſcience, Iuſtice, Law, prudence and right reaſon, for the ſpeedy and effectuall ſetlement of the peace and ſafety of our three diſtracted, bleeding, dying Kingdomes, on Monday,* Dec. 4. *I was on Wedneſday morning following (the 6 of this inſtant) going to the Houſe to diſcharge my duty, on the Parliament ſtaires next the Commons dore, forcibly ſeized upon by Col.* Pride, *Sir* Hardreſſe Waller, *and other Officers of the Army (who had then beſet the Houſe with ſtrong Guards and Whole Reg: of Horſe and Foot) haled violentlythence into the Queens Court, notwithſtanding my Proteſtation of*

breach

breach of priviledge, both as a Member and a Freeman, by a meere uſurped tyrannicall power, without any lawfull Authority, or cauſe aſſigned; and there forcibly detained Priſoner (with other Members there reſtrained by them) notwithſtanding the Houſes double demand of my preſent enlargement to attend its ſervice by the Sergeant, and that night (contrary to faith and promiſe) carried Priſoner to Hell, *and there ſhut up all night, (with 40. other Members) without any lodging or other accommodations, contrary to the known Priviledges of Parl. the fundamentall Laws of the Realm, and liberty of the Subject; which both Houſes, the 3. Kingdoms, the Generall with all Officers and Soldiers of the Army, are by ſoleme Covenant and duty obliged inviolably to maintaine. Since which I have, without any lawfull power or authority, been removed and kept Priſoner in ſeverall places, put to great expences, debarred the liberty of my Perſon, calling; and denied that hereditary freedome which belongs to me of right, both as a Freeman, a Member, an eminent ſufferer for the publike, & a Chriſtian, by theſe who have not the leaſt ſhadow of authority or juſtice to reſtraine me, and never yet objected the leaſt cauſe for this my injuſt reſtraint.*

I do therefore hereby publickly proteſt againſt all theſe their proceedings, as the higheſt uſurpation of an arbitrary and tyrannicall power, the greateſt breach of faith, truſt, Covenant, priviledges of Parliam. and moſt dangerous encroachment on the Subjects liberties and Laws of the Land, ever practiſed in this Kingdome by any King or Tyrant, eſpecially by pretended Saints, who hold forth nothing but juſtice, righteouſneſſe, liberty of conſcience, and publick freedome in all their Remonſtrances; whiles they are triumphantly trampling them all under their armed iron feet. And doe further hereby appeal to, and ſummon them, before all the Tribunals and powers in heaven and earth for exemplary juſtice againſt them, who cry out ſo much for it againſt others leſſe tyrannicall, oppreſſive, unjuſt, and ſedifragus to God and men than themſelves. And doe moreover remonſtrate, that all their preſent exorbitant actings againſt the King. Parl. preſent Government, & their new modled Repreſentative, are nothing elſe but the deſigns & projects of Ieſuits, Popiſh Prieſts and Recuſants (who bear chief ſway in their Councels) to deſtroy and ſubvert our Religion, Lawes, Liberties, Government, Magiſtracy, Miniſtry, the preſent and all future Parl. the King. his Poſterity, and our 3. Kingdomes, yea the Generall, Officers, and Army themſelves, and that with ſpeedy and inevitable certainty;

to betray them all to our forraigne Popiſh Enemies; and give a juſt occaſion to the Prince and Duke, now in the Papiſts power, to alter their Religion, and engage them, and all forraigne Princes and Eſtates to exert all their power to ſuppreſſe and extirpate the Proteſtant Religion and Profeſſors of it through all the World, which theſe unchriſtian, ſcandalous, treacherous, rebellious, tyrannicall, Ieſuiticall, diſloyall, bloudy preſent Counſels and exorbitances of this Army of Saints, ſo much pretending to piety and juſtice, have ſo deeply wounded, ſcandalized, and rendred deteſtable to all pious, carnall & morall men of all conditions. All which I am, and ſhall alwaies be ready to make good before God, Angels, Men, and our whole three Kingdomes in a free and full Parliament, upon all juſt occaſions: and ſeale the truth of it with the laſt drop of my deareſt bloud.

In witneſſe whereof, I have hereunto ſubſcribed my Name: at the Signe of the *Kings-head* in the *Strand*, *Decemb.* 26. 1648.

William Pryn.

51. The Councell of War forbid all ſtate and ceremony to the King. From *Dec.* 25. to 1. *January*, Num. 283.

27. *Decemb.* The Councell of Warre (who manage the buſineſſe in relation to the King, ſaith the *Diurnall*) ordered, *That all ſtate and ceremony ſhould be forborne to the King, and his Attendants leſſened*, to mortifie him by degrees, and worke Him to their deſires.

52. *Cromwels* Sp. in the Ho: when it was firſt propounded to tie the King.

When it was firſt moved in the Houſe of Commons to proceed capitally againſt the King; *Cromwell* ſtood up and told them, *That if any man moved this upon deſigne, he ſhould thinke him the greateſt Traytour in the World; but ſince providence and neceſſity had caſt them upon it, he ſhould pray God to bleſſe their Councels, though he were not provided on the ſudaine to give them counſel*: this bleſſing of his proved a curſe to the King.

53. The Ordinance for electing Com: Councel men confirmed.

28. *Decemb.* was brought into and read in the Houſe an Ordinance, explaining the former Ordinance for electing Common-Councel-men, which confirmed the former Ordinance. It was referred back againe to the ſaid Committee to conſider of taking away the illegall (as they pleaſe to miſcall them) Oathes of Allegiance, Supremacy, and other Oathes uſually adminiſtred to Officers, Free-men, &c. of the City.

The

The 28. *Decemb. Tho: Scot* brought in the Ordinance for Triall of the King, it was read and recommitted three ſeverall times, and the Commiſſioners Names inſerted conſiſting of diverſe Lords, Commons, Aldermen, Citizens, Country Gentlemen, and Souldiers, (that the more perſons of all ſorts might be engaged in ſo damnable and treaſonable a deſigne) and becauſe this Ordinance, and the proceedings thereupon had no foundation in Divinity, Law, reaſon, nor practice: The Commons to give it a foundation and ground from the authority of their Votes, declared as followeth.

54. The Ordinance for Triall of His Majeſty paſſed the Commons.

Reſolved, &c. That the Lords and Commons aſſembled in Parliament, doe declare and adjudge, That by the fundamentall Lawes of the Realme, it is Treaſon in the King of England *for the time to come to levie War againſt the Parliament, and Kingdome of* England.

Diurnall from 1. *Ian.* to the 8. of *Ian.* 1648. Numb. 286.

So together with this declaratory Vote the ſaid Ordinance was carried up to the Lords by that Renegado Lord *Gray* of *Grooby*, *Ian*: 2. 1648. The Lords met that day farre more than ordinary, 16. in number, and promiſing to ſend an Anſwer by Meſſengers of their owne.

55. And ſent up to the Lords,

The firſt Queſtion ſtarted by ſome Lords (who had rather have had a thinner Houſe) was, *Whether it ſhould be preſently debated?* which paſſed Affirmatively, The firſt Debate was upon the ſaid Declaratory Vote: The Earle of *Mancheſter* told them, *The Parliament of* England, *by the fundamentall Laws of* England *conſiſted of three Eſtates*, 1. *King*. 2. *Lords*. 3. *Commons*: *the King is the firſt and chief Eſtate, He calls and diſſolves Parliaments, and confirmes all their Acts*: *and without him there can be no Parliament*; *therefore it is abſurd to ſay, The King can be a Traytour againſt the Parliament.* The Earle of *Northumberland* ſaid, *The greateſt part* (at leaſt twenty to one) *of the People of* England *were not yet ſatisfied, Whether the King levied war firſt againſt the Houſes, or the Houſes againſt Him? And if the King did leavie Warre firſt againſt the Houſes, We have no Law to make it Treaſon in Him, ſo to doe: And for us to declare Treſon by an Ordinance, when the matter of fact is not yet proved, nor any Law extant to judge it by, is very unreaſonable*: ſo the Lords caſt off the Debate, and caſt out the Ordinance: and adjourned for ſeven daies.

56. and Debated.

57. The Zealots of the H. of Com: offended with the Lords for caſting forth the Ordin: for Triall of the King.

Ian. 3. The Zealots of the Commons were very angry at the Lords,

Lords, and threatned to clap a Pad-lock on the Dore of their Houſe: but at laſt they ſent up ſome of their Members to examine the Lords Book, and ſee what they had done; who brought word back, *that their Lordſhips had paſſed* 2. *Votes*; 1. *That they doe not concurre to the ſaid Declaratory Vote.* 2, *That they had rejected the Ordinance for Triall of the King.*

58. Votes paſſed by them thereupon.

Hereupon, the Commons reſolved to rid their hands of King and Lords together; and preſently they voted, *That all Members of the Houſe of Commons, and others appointed by order of that Houſe, or Ordinances of both Houſes of Parliament, to act in any Ordinance wherein the Lords are joyned, ſhall be empowred and enjoyned to ſit, and act, and execute in the ſaid ſeverall Committees of themſelves, notwithſtanding the Houſe of Peers joyne not with them, therein.* Upon the debate, many hot-brain'd men inſiſted upon it, *That the Lords who rejected the Ordinance ſhould be themſelves Impeached for favouring the grand Delinquent of* England, (you ſee the King was likely to have much juſtice, when his Iudges muſt either condemne Him, or be condemned) others thought it more prudence to touch their Priviledges, and let alone their Perſons.

Die Iovis, 4. Ian. 1648. The Commons paſſed theſe 3. Votes,

A queſtion in Divinity voted in Parliament never agreed to by Divines. This we find *de facto*, in the ſubverſion of our Religion, Lawes, Liberties and Properties, though not *de jure*. You ſee that ſince both Houſes raviſh'd the Supremacy from the King, and a petty Faction from the Houſes; our Lawes are firſt ſhrunke into arbitrary Ordinances of both Houſes, and now into Orders of a remaining Faction of one Houſe.

1. *That the People* (that is, their owne faction, according to their ſaid Principle) *are under God the originall of all juſt power.*

2. *That the Commons of* England *in Parliament aſſembled, being choſen by, and repreſenting the People, have the Supreme power of this Nation.*

3. *That whatſoever is enacted or declared for Law by the Houſe of Commons aſſembled in Parliament, hath the force of Law*: and all the People of this Nation are concluded thereby, although the conſent or concurrence of the King or Houſe of Peers be not had therennto. This chain-ſhot ſweeps away King, Lords, Laws, Liberties, property, and fundamentall Government of this Nation at once; and depoſites all that is, or can be neer or deare unto us *in ſcrinio pectoris*, in the boſomes and conſciences of 50. or 60. factious covetous Saints, the dregs and lees of the Houſe of Commons ſitting and acting under the power of an Army: and yet the Houſe of Commons never had any *Power of Iudica-*

ture,

ture, nor can legally administer an Oath; but this in pursuance of their aforesaid Principle, *That they may passe through any forme of Government to carry on their Designe*: The *Diurnall* tells you, *there was not a Negative Voice*: this shewes under what a terror they sit, when (in things so apparently untrue) no man durst say, *No*: so the said Declaratory Vote and Ordinance for Triall of His Majesty (by a Court Martiall, if the *Diurnall* speake true, and yet the King no Prisoner of War) was passed onely in the name and by the Authority of the Commons: Notwithstanding, the Order of the House, *That the Clerke should not deliver a Copy of the said Ordinance to any man*, I here present the Reader with a Copie thereof:

* An Act of Parliament of the House of Commons, for Tryall of *Charles Stuart* King of *England*.

59. The Act for Triall of the King.

Whereas it is notorious that Charles Stuart *the now King of* England, *was not content with the many incroachments which his Predecessors had made upon the People in their Rights and Freedome, hath had a wicked Designe to subvert the antient and fundamentall Lawes and Liberties of this Nation, and in their place to introduce an Arbytrary and Tyrannicall Government, and that besides all evill waies to bring His Design to passe, He hath prosecuted it with fire and sword, leavied and maintained a Civill War in the Land, against the Parliament and Kingdome; whereby this Country hath been miserably wasted, the publique Treasure exhausted, Trade decayed, thousands of People murdered, and infinite of other mischiefs committed, for all which high offences the said* Charles Stuart *might long since have been brought to exemplary and condigne punishment.*

Quare, Whether the Faction doe not translate these Crimes from themselves to the King, with many others.

Whereas, also the Parliament well hoping that the restraint and imprisonment of His Person, after it had pleased God to deliver Him into their hands, would have quieted the distempers of the Kingdome, did forbeare to proceed judicially against Him, but found by sad experience that such their remisnesse served onely to encourage Him, and His Complices in the continuance of their evill practices, and in raising new Commotions, Rebellions, and Invasions: For prevention of the like and greater inconveniences, and to the end no chief Officer or Magistrate may hereafter presume Trayterously and malitiously

to imagine or contrive the enſlaving or deſtroying of the Engliſh Nation, and to expect impunity. Be it enacted and ordained by the Commons in this preſent Parliament aſſembled, and it is hereby enacted and ordained, that

Thomas L^d *: Fairfax*, Generall.
Oliver Cromwel, Lieu. Generall.
Com. Gen. *Ireton.*
Major Gen. *Skippon.*
Sir *Hardreſſe Waller.*
Col. *Valentine Walton*
Col. *Thomas Harriſon*
Col. *Edward Whalley.*
Col. *Thomas Pride.*
Col. *Iſaac Ewer.*
Col. *Rich: Ingolsby.*
Sir *Henry Mildmay.*
Sir *Tho: Honywood.*
Thomas, Lord *Grey.*
Philip. Lord *Liſle.*
Will: Lord *Munſon.*
Sir *Iohn Danvers.*
Sir *Tho: Maleverer.*
Sir *Iohn Bowcher.*
Sir *Iames Harrington.*
Sir *William Brereton.*
Robert Wallop, Eſquire
Will: Henningham, Eſ.
Iſaac Pennington, Alderman.
Thomas Atkins, Ald:
Col. *Rowland Wilſon.*
Sir *Peter Wentworth.*
Col. *Henry Martyn.*
Col. *William Purefoy.*
Col. *Godfrey Boſvill.*
Iohn Trencherd, Eſq.
Col. *Harbottle Morley*
Col. *Iohn Berckſtead.*
Col. *Mat. Tomblinſon.*
Iohn Blackſton, Eſq.
Gilb: Millington, Eſq.
Sir *Will: Conſtable.*
Col. *Edward Ludlow.*
Col. *Iohn Lambert.*
Col. *Io: Hutchingſon.*
Sir *Arth: Hazlerigge.*
Sir *Michael Liveſley.*
Rich: Saloway, Eſq.
Humph: Saloway, Eſq.
Col. *Rob: Titchburne.*
Col. *Owen Roe.*
Col. *Rob: Manwaring.*
Col. *Robert Lilburne.*
Col. *Adrian Scroope.*
Col. *Richard Deane.*
Col. *Iohn Okey.*
Col. *Robert Overton.*
Col. *Iohn Harriſon.*
Col. *Ioh: Desborough.*
Col. *William Goffe.*
Col. *Rob: Dukenfield.*
Cornelius Holland, Eſ.
Iohn Carne, Eſq.
Sir *Will: Armine.*
Iohn Iones, Eſq.
Miles Corbet, Eſq.
Francis Allen, Eſq.
Thomas Liſter, Eſq.
Ben: Weſton, Eſq.
Peregrin Pelham, Eſq.
Iohn Gourdon, Eſq.
Serj. *Francis Thorp.*
Iohn Nut, Eſq.
Tho: Challoner, Eſq.
Col. *Algern: Sidney.*
Iohn Anlaby, Eſq.
Col. *Iohn Moore.*
Richard Darley, Eſq.
William Saye, Eſq.
Iohn Aldred, Eſq.
Iohn Fagge, Eſq.
Iames Nelthrop. Eq.
Sir *Will: Roberts.*
Col. *Francis Laſſels.*
Col. *Alex: Rixby.*
Henry Smith Eſq.
Edmond Wilde, Eſq.
Iames Chaloner, Eſq.
Ioſias Barnes, Eſq.
Dennis Bond, Eſq.
Hump: Edwards, Eſq.
Greg: Clement, Eſq.

Iohn

John Fray, Eſq.
Tho: VVogan, Eſq.
Sir *Greg: Norton.*
Serj. *John Bradſhaw.*
Col. *Edm: Harvey.*
John Dove, Eſq.
Col. *John Venn.*
John Foulks, Alder:
Thomas Scot, Alder:
Tho. Andrewes, Ald:
VVilliam Cawley, Eſq.
Abraham Burrell, Eſq.
Col. *Anthony Stapley.*
Roger Gratwicke, Eſq.
John Downes, Eſq.
Col. *Thomas Horton.*
Col. *Tho. Hammond.*
Col. *George Fenwicke.*
Serj. *Robert Nichols.*
Robert Reynolds, Eſq.
John Liſle, Eſq.
Nicholas Love, Eſq.
Vincent Potter.
Sir *Gilbert Pickering.*

John VVeaver, Eſq.
John Lenthall, Eſq.
Sir *Edward Baynton.*
John Corbet, Eſq.
Thomas Blunt, Eſq.
Thomas Boone, Eſq.
Auguſtin Garland, Eſ.
Auguſtin Skinner, Eſ.
John Dickſwell, Eſq.
Col. *George Fleetwood*
Simon Maine, Eſq.
Col. *Iames Temple.*
Col. *Peter Temple.*
Daniel Blagrave, Eſq.
Sir *Peter Temple.*
Col. *Thomas Wayte.*
John Browne, Eſq.
John Lowrey, Eſq.

Mr. *Bradshaw*, nominated Preſident.

Counſellors aſſiſtant to this Court, & to draw up the Charge againſt the KING, are,
Doctor *Doriſlow.*
Maſter *Steele.*
Maſter *Aske.*
Maſter *Cooke.*

Serjeant *Dandy*, Serjeant at Armes.

Mr. *Philips*, Clerk to the Court.

Meſſengers and dore-keepers, are.
Maſter *VValford.*
Maſter *Radley.*
Maſter *Paine.*
Maſter *Powel.*
Maſter *Hull.*
And Mr. *King*, Crier.

ſhall be, and are hereby appointed Commiſsioners and Iudges for the hearing, Trying, and Iudging of the ſaid Charles Stuart; *and the ſaid Commiſsioners, or any 20. or more of them ſhal be, and are hereby Authorized and Conſtituted an High Court of Iuſtice, to meet at ſuch convenient times and place as by the ſaid Commiſsioners, or the major part, or 20. or more of them under their hande and ſeales ſhall be appointed and notified by publick Proclamation in the great Hall, or* Palace-yard of VVeſtminſter; *and to adjourne from time to time, and from place to place, as the ſaid High Court or the major part thereof meeting ſhall hold fit, and to take order for the charging of Him the ſaid* Charles Stuart *with the Crimes above mentioned, and for the receiving His*

Perſonall Anſwer thereunto, and for examination of VVitneſſes upon oath (if need be) concerning the ſame; and thereupon or in default of ſuch Anſwer to proceed to finall Sentence according to juſtice and the merit of the Cauſe, to be executed ſpeedily and impartially. And the ſaid Court is hereby Authorized and required to chuſe and appoint all ſuch Officers, Attendants, and other circumſtances as they, or the major part of them ſhall in any ſort judge neceſſary or uſefull for the orderly and good managing of the premiſes: and Thomas *Lord* Fairfax * *the Generall, with all Officers of juſtice, and other wel-affected Perſons are hereby authorized and required to be aiding and aſſiſting unto the ſaid Commiſſioners in the due execution of the truſt hereby committed unto them, provided that this Ordinance, and the Authority hereby granted doe continue for the ſpace of one Month from the Date of the making hereof, and no longer.*

These wise men of *Gotham* could not tell whether VVitneſſes upon oath were neceſſary upon Trials of life and death. But (I confeſſe) that upon the defenſive part, upon Indictments; VVitneſſes upon oath were not to be heard againſt the King, much more Accuſers of the King.

* The Generall is no Officer of juſtice.

All welaffected Perſons tag and rag invited to aſſiſt in a Tumultuary way to deſtroy the King if need had been, that is, all Antimonarchiſts.

60. A new Great Seale to be made.

But at laſt they ſtumbled at a rub not foreſeen; they could not uſe the old Great Seale againſt Him, becauſe it vvas the Kings Great Seale (no more could they uſe any of our Lavves, Courts, or Iudges againſt Him, becauſe they are all the Kings) the Sculpture upon it is, *Carolus Dei Gratia*, neither vvould the Grace of God ſquare vvith their proceedings: they muſt therefore make a nevv Great Seale; but that vvas long a making, and their fingers vvere in the fire: they therefore proceeded vvithout any Commiſſion under Seale, onely upon the ſaid Ordinance, and every Commiſſioner ſet his ovvne hand and ſeale to the publique inſtruments of their proceedings: vvhat need ceremonies vvhen men are reſolved upon the ſubſtance?

61. The Iews petition the Councell of VVar to have the Stat: of their baniſhment repealed.

About this time the Hebrevv Ievves preſented a Petition to the uncircumciſed Ievves of the Councell of VVarre, *That the Statute of Baniſhment againſt them may be repealed, and they readmitted to a Synagogue and Trade amongſt us*; They offer for their re-admiſſion, S. *Pauls* Church, and the Library at *Oxford*, 500000l. but 700000l. is demanded: *Hugh Peters* and *Harry Martyn* ſolicite the buſineſſe. Vpon this occaſion vvas publiſhed this Paper enſuing.

The

* The laſt damnable Deſigne of *Cromwel* and *Ireton*, and their junto or Caball; intended to be carried on in their Generall Councell of the Army, and by their journey-men in the Houſe of Commons, vvhen they have engaged them deſperately in ſinne, paſt all hope of retreat by murdering the King.

62. A Paper publiſhed upon occaſion of the Iewes Petition.

Major VVhite, *a Member of the Army, long ſince at* Putney *fortetold, That ſhortly there vvould be no other povver in* England *but the povver of tee Svvord: and* VVil: Sedgvvick *in his Booke called* [juſtice upon the Armies Remonſtrance] *ſaith, The Principle of this Army is, To breake the Powers of the Earth to pieces: and* Iohn Lilburne *in his* [Plea for Common Right] pag. 6. *ſaith, The Army by theſe extraordinary proceedings, have overturned all the viſible Supreme Authority of this Nation: that is, they have, and vvill, by ſeizing upon the Members of Par: diſſolving it, and ſetting up a nevv invented Repreſentative, and bring the King to capitall puniſhment, and diſ. inheriting His Poſterity, ſubvert the Monachicall Government, and Parliaments of this Kingdome; the Lavves and Liberties of the People, and ſo by bringing all to Anarchy and confuſion, put the vvhole Government of the Land under the Arbitrary povver of the Svvord.*

In order to vvhich, they have, and vvill overturne the Government of the City of London *by a Lord Mayor and Aldermen, and Governerne it by Commiſsioners, and a ſchiſmaticall Common Councell of* Anabaptiſts, *illegally choſen; and deprive them of their Charter of Incorporation and Franchiſes; and this ſhall be a leading caſe to all the Corporations of* England.

Their next deſigne is, to Plunder, aud Diſ-arme the City of London, *and all the Country round about; thereby to diſable them to riſe vvhen the Army removes, but not to the uſe of the Souldiers, (although they greedily expect the firſt VVeek in* February *the time appointed) from vvhom they vvill redeeme the Plunder at an eaſie rate; and ſo ſell it in bulk to the* Ievves, *vvhom they have lately admitted to ſet up their banks, and magazins of Trade amongſt us, contrary to an Act of Parliament for their baniſhment; and theſe ſhall be their Merchants to buy off for ready money, (to maintaine ſuch VVarres as their violent*

proceedings will inevitably bring upon them) *not onely all Sequeſtred and Plundred goods, but alſo the very Bodies of Men, VVomen, and Children, whole Families taken Priſoners for ſale, of whom theſe Iewiſh Merchants ſhall keep a conſtant traffique with the* Turks, Moores, *and other Mahometans*; *the* Barbadus, *and other Engliſh Plantations being already cloyed with* VVelch, Scottiſh, Colcheſter, *and other Priſoners impoſed by way of ſale upon the Adventurers: and this is the meaning of* Hugh Peters *threat to the* London *Miniſters, That if another VVarre followed, they will ſpare neither Man, VVoman, nor Child: For the better carrying on of which Deſigne, the ſaid Caball, or Iunto, keep a ſtrict correſpondency with* Ovven Roe Oneale, *the bloudy Popiſh Antimonarchicall Rebell in* Ireland, *and the Popes Nuntio there. The Antimonarchicall Marqueſſe of* Argyle *in* Scotland; *the Pariſian, Norman, and Picarde Rebels in* France; *and the Rebel King of* Portugall. *If danger be not held ſo cloſe to your eyes that you cannot diſcerne it, looke about you Engliſh. But this Kingdome is not to be ſaved by Men that will ſaue themſelves; Nothing but a Private hand, and a Publique ſpirit can redeeme it.*

63. Maſter *Pryns* ſecond Letter to the Generall.

The 3. *Ian.* 1648. Maſter *Pryn* ſent a Letter to the Generall, demanding vvhat kind of Priſoner, and vvhoſe he vvas? as followeth:

* *To the Honourable,* Thomas *Lord* Fairfax, *Generall of the preſent Army, theſe preſent.*

My Lord,

IT is novv a full Months ſpace ſince I (vvith other Members of the Commons Houſe) have been forcibly apprehended and kept Priſoner by ſome of your Officers and Marſhall, againſt the Priviledges of Parliament, the Liberty of the Subject, the Lavves and Statutes of the Realme, and all rules of juſtice, conſcience, and right reaſon; vvithout the leaſt ſhadovv of Authority, or any cauſe at all yet made knovvne to me, of vvhich (vvere there any) neither God nor man, ever yet made your Lordſhip or your Officers, Iudges. I therefore deſire to knovv from your Lordſhip, vvhat kind of Priſoner I am? and vvhoſe? If a Priſoner of peace, neither

neither your Lordſhip, nor your Officers, are any Iuſtices of peace, or Civill Magiſtrates in this place, to reſtraine me for any civil crime, vvere I guilty of it, much leſſe vvithout proof or hearing, in caſe I vvere no Member: but being neither guilty nor accuſed of any ſuch crime, and a Member too, no Magiſtrate can, nor ought to impriſon me upon any pretext, at leaſt vvithout the Houſes licence firſt obtained. If a Priſonner of VVarre, vvhich I cannot probably be, being never in Arms, and apprehended neer the Commons Houſe dore, going peaceably and unarmed thither to diſcharge my duty; then you, and your Officers thereby acknovvledge, That you have levied VVarre againſt the Parliament, and its Members: and vvhat capitall offence this is, and vvhat a puniſhment it deſerves, I need not informe your Lordſhip, or your Councell, vvho have for this very crime, condemned and ſhot ſome to death, as Traytours: and demanded ſpeedy juſtice and execution for it upon the King himſelfe.

I have but one thing more to trouble your Lordſhip vvith, and that is, to demand vvhoſe Priſoner I am? having yet ſeen no VVarrant nor Order from your ſelfe, or your Officers, for my reſtraint, though I have oft demanded it of your Marſhall: If your Lordſhips Priſoner, there appearing yet no legall Authority, cauſe, or VVarrant, for my reſtraint; I muſt then crave ſo much juſtice from your Lordſhip (being but a Subject, and not yet paramount all Lavves) to order your Attourney to give an Appearance for you in the *Kings bench*, the firſt returne of the next Tearme, to an action of falſe Impriſonment, for this my unjuſt reſtraint; vvhich I intend (by Gods aſſiſtance) effectually to proſecute. If your Officers Priſoner onely and not yours, vvhich I conceive, vvho yet abuſe your name and authority herein, though it be a rule in Lavv & Divinity too, *Qui non prohibet malum quod poteſt; jubet*; yet I ſhall be ſo juſt as to ſet the ſaddle upon the right horſe, and commence my action onely againſt ſuch of your Officers, vvho have been moſt active in my Impriſonment, for damage and reparations; vvhich if there be any juſtice remaining under Heaven, I doubt not but I ſhall recover in Gods due time, in this publique cauſe vvhich ſo highly concernes the honour, fredome, and Priviledges of Parliament, and Subjects Liberties; for defence and maintenance vvhereof, as I have hitherto ſpent my

ſtrength

ſtrength, adventured my life, body, liberty, and eſtate; ſo ſhall I novv againe engage them all, and all the friends and intereſts I have in heaven and earth, rather then they ſhall ſuffer the leaſt diminution, prejudice or eclipſe by my ſtupid patience under this unjuſt captivity; though I can as vvillingly forgive and put up private injuries, vvhen the publique is not concerned, as any man. All vvhich, I thought meet to informe your Lordſhip of, vvhom I am heartily ſorry to ſee ſo much diſhonoured, abuſed, and miſled by raſh ill-adviſed Officers, and dangerous, deſtructive (and I dare ſay jeſuiticall) councels, to the Parliaments diſſipation, the Kingdomes prejudice, *Irelands* loſſe; moſt good mens and Miniſters grief, your beſt Friends aſtoniſhment, your Enemies and the Papiſts triumph, our Religions ſcandall, and your ovvne diſhonour: vvhich I beſeech you as an Engliſh-man, a Chriſtian, a Profeſſor of piety and Religion, a Souldier, a Generall, to lay ſadly to your heart, as the earneſt requeſt of

From my Priſon at the Sign of the *Kings-head* in the *Strand*, 3 *Ianu:* 1648.

Your Lordſhips faithfull Friend and Monitor,

VVilliam Pryn.

* *An additionall Poſtſcript.*

WE read, *Luke* 3. 14: that vvhen the Souldiers demanded of *Iohn Baptiſt*, ſaying, and *what ſhall we doe?* he ſaid unto them, *Doe violence to no man*, (or put no man in feares) *neither accuſe any falſly, and be content with your allowance*: not impriſon, depoſe, or murther Kings, pull dovvne Parliaments, impriſon, violently ſhut out and drive avvay Parliament-men, and then lay all falſe accuſations and ſcandals upon them to colour your violence, ſubvert Kingdomes, alter States, breake all bonds of Lavves, Oaths, Covenants, Obligations, Engagements to God and Men; uſurp all civill, military and Eccleſiaſticall povver, and the Kings Royall Palaces into your ovvne hands, as ſupreme Lords and Kings; raiſe vvhat nevv forces, and leavie vvhat nevv Taxes you pleaſe, take up vvhat Free-quarters and Houſes, ſeize and plunder vvhat publick Treaſuries & monies you pleaſe

pleaſe, without Commiſſion or Authority, obey niether God nor Man, neither Parliament nor Magiſtrate, and be content with nothing, but alter and ſubvert all things. Theſe are Saint *Peters* new Doctrines and Revelations, to our Officers and Souldiers now, & thoſe Jeſuits who lurk amongſt them, not *Iohn the Baptiſt*, whoſe Canonicall advice is now rejected as Apocryphall, even among the Army Saints, who preferre every *ignis fatuus*, though from *Doway* or *Rome* it ſelfe, before this burning and ſhining old light, and are guided onely by a new minted law of pretended providence or neceſſity of their owne forging, and not by the revealed will & law of God, the ſacred light whereof their preſent works of darkneſſe dare not approach, leſt they ſhould be reproved & condemned by them. But ſome 43. Actions of falſe impriſonment by the impriſoned, & 150. Actions of the Caſe by the ſecluded Members, brought againſt theſe domineering lawleſſe Officers & Grandees of the Army, wherein good Damages will be recovered, & ſome 12. Indictm: of High Treaſon againſt them for laying violent hands upon the Kings Perſon, & the Members, and leavying Warre againſt the Parliament, will teach them more obedience, humility, & modeſty than either *Iohn Baptiſt*, Saint *Paul*, Saint *Peter*, or Saint *Peters* will doe; and be like *Gideon* thornes and briars of diſcipline to theſe men of *Succoth*, with whom no faire meanes will prevaile; who might have learned ſo much law and juſtice from an Heathen Souldier and Governour *Feſtus*, Acts 25. 27. *It ſeemeth unto me unreaſonable to ſend* (much more to commit) *a Priſoner, and not withall to ſignifie the crimes layd againſt him*; and come ſhort of that ingenuity of the heatheniſh chief Captaine who ſeized upon *Paul*, thereby to appeaſe the Tumult at *Hieruſalem*, Acts 22. 27, 29. who as ſoone as ever *Paul* told him, *he was a Roman, & Free-borne; then ſtraight way they departed from him who ſhould have examined him; and the chiefe Captaine alſo was affraid, after he knew that he was a Roman, and becauſe he had bound him.* And ſhould not falſe impriſoning of a Parliament-man & Free-born Engliſh-man be as formidable to our chiefe Captaines (being a Chriſtian, I ſay, ſworne and vowed to defend the Houſes Priviledges, and Members Perſons) as the Impriſonment of a Roman was to this chiefe Captaine, & they as ingenious and juſt

as he, who shall rise up in judgement against them, and condemn them at the last.

I shall close up all with this observation, That as the most glorious Angels in Heaven, when they fell (through pride and ambition, as most conceive) became the very foulest Devils in Hell; so the most resplendent seeming hypocriticall Saints when they fall through the like sinnes, and have power in their hands, become the most incarnate Devils, and Monsters of treachery and tyranny upon earth, exceeding Turkes and Pagans therein, of which we have now sad experience in our Army-Saints, who every day aggravate, and yet justifie their impieties & exorbitances. 2 *Chron.* 28. 11. *Now heare me therefore, and deliver the Captives again, which ye have taken Captives of your Brethren; for the fierce wrath of God is upon you.*

Will: Pryn.

64. Another forg'd Letter endeavoured to be fastned upon Sheriff *Brewyn.*

The Saints having nothing to say against Major Gen: *Browne*, (unlesse they should accuse him for being true to King, Parliament, City, & Kingdome, & to all the first declared Principles of this Parliament) fell to their old trick to fasten another counterfeit Letter upon him: wherefore a Man coming to S. *Iames's* (where he was then imprisoned) desired in the hearing of all present, to speake with him in private: Major G. *Browne* told him He was not for private conference, & bade him speake openly; then the Fellow presented a Letter to him, saying, It was from the Prince: but Maj: G. *Browne* (remembring the like trick put upon him before) called for the Guard to apprehend him; when presently the Messenger threw te Letters into the fire, and the Marshall catching them out halve burnt, affirmeth, He saw *Charles Prince*, written upon them. Sanctified eyes may see through the spectacles of their owne fantasie what they please, to accomplish their Designe, & therefore they have a new principle or light (which as the 7. *May*, be added to the aforesaid 6.) that though they have no proofs nor evidence against a man, yet if in their consciences, they think him guilty, they may condemne him upon the testimony of their owne consciences; this is to condemn by Revelation such whose bloud they desire to sucke. This supposed Messenger from the Prince was seized by the Guard;

Guard, but no proceedings againſt him heard of; which argues it was but a ſnare ſet to catch the Major.

About this time (to ſecond this device) a Man gallantly clothed, and mounted, comes to the *Beare* in the *Strand*, gives the Hoſtler a Peece, & bids him have a care of his Horſe; then goes into the City, & (the plot being forelayd) was taken there with Letters ſubſcribed with the Princes name to divers Citizens, & Members, againſt whom they want matter of accuſation. I heare no more of this matter yet; this is a device dormant, to be awakened hereafter, if any ſhall oppoſe the preſent actings of the Army and their Parliament.

65. Another more generall forgery to endanger vvhom the Faction pleaſe. It vvill be proved that divers VVitneſſes have bee practiſed & tampered vvith againſt, Mr. *Browne* and others.

Cromwell, *Ireton*, and *Hugh Peters* have ſeverall times made it their errand to go into the City and viſit the Miniſters, giving them threatning admonitions; *not to Preach any thing againſt the Actings of the Army and their Parliament*: But *Hugh* acted his part above them all, he tooke ſome Musketiers with him to the houſe of Maſter *Calamy*, & knocking at the dore, a Maid asked *Whom he would ſpeake with*? he told her, *with her Maſter*; ſhe *asked his name*? he replied, Mr. *Hugh Peters*: the Maid going up the ſtaires to acquaint her Maſter (who was above-ſtaires in Coference with ſomes Divines) over-heard *Peters* ſay to the Souldiers, *The very name of Peters will fright them all*: *Peters* being called up the ſtaires, told Mr. *Calamy*, *He was commanded by the Generall to Name him to come before him*: Mr. *Calamy* (leaving *Peters* vapouring & canting Religion and non-ſenſe to the reſt of the Divines) ſlipt downe ſtaires and went to the Generall to know his pleaſure, telling him, *He had been ſummoned before him by Hugh Peters*: the Generall ſaid, *Peters was a Knave, and had no ſuch directions from him.*

66. *London* Miniſters threatned. See the Miniſters of *Londons* Letter to the Generall called, [*A ſerious Repreſentation.*] dated, *Jan.* 18. 164⅞.

Since this, the Councell of Warre (finding it difficult to ſtop the Miniſters mouths) have ſundry times debated, *How to ſhut up the Churches dores in the City, for Reformation of the Church, and propagation of the Goſpell*: they have impriſoned Mr. *Canton* (a worthy Miniſter) *for praying for King CHARLES*, & threaten to trie him for his life in the Upper Bench (forſooth) which all the Lawes call, *the Kings-bench*: and upon their new Acts of Parliament, made by a ninth part of the Members, the ſmall remnant or Junto of the Houſe of Commons; notwithſtanding, by *The*

67. The C. of VVar conſider how to ſhut up the Churches dores.

Directory for Publique Worſhip, (eſtabliſhed by both Houſes) the Miniſters are enjoyned *to pray for the King.* It is ſaid that Monſieur *Paux* (one of the *Dutch Agents* here) hath adviſed *Cromwell, to ſtop the Miniſters moutkes by hanging up a dozen of them*; and vouches *a preſident for it in the Low Countries.*

68. The Lords ſent ſome Votes to the Commons for their cõcurrence.

Ian. 9. The Lords ſate againe and paſſed ſome Ordinances, which they ſent downe to the Commons for their concurrence, to feel their pulſe whether they would vouchſafe to take ſo much notice of them, the Commons laid them aſide after ſome expreſſions of diſdaine.

69. Sergeant *Dandy* proclaimeth the ſitting of the new H: Court of Iuſtice.

This day Sergeant *Dandy*, Sergeant at Armes to the Comiſſioners for Triall of His Majeſty, rode into *Weſtminſter-hall* with the Mace belonging to the Houſe of Commons upon his ſhoulder; & ſome Officers attending him, all bare, and 6. Trumpetors on horſback before him, Guards of Horſe & Foot attending in both the *Palace-yards*, the 6. Trumpetors ſounded on horſeback in the middle of the Hall, & the Drums beat in the *Palace-yards*, after which a Proclamation was read aloud by Mr. *King*, one of the Meſſengers of the ſaid High Court of Juſtice, to this purpoſe; To give notice, that *the Commiſſioners were to ſit to morrow, and that all thoſe that had any thing to ſay againſt CHARLES STVART King of* England *might be heard.* The like was done in *Cheapſide*, and at the *Old Exchange.*

70. The Gr: Seale voted to be broken.

This day the remainder of the Houſe voted their Great Seale to be broken, in order to the making of a new one, juſtly putting the ſame affront upon their owne Seale, which they had formerly put upon the Kings. Upon theſe occaſions Mr. *Pryn* (it is ſaid) publiſhed his *Memento* to the unparliamentary Junto, therein telling the Houſe, *That being forcibly ſecluded from the Houſe by the Officers of the Armies violence, whereby he could not ſpeake his mind to them freely* in, *or* as *the Houſe of Commons, yet he would write his thoughts to them as private Perſons onely under a force, conſulting in the Houſe without their fellow Members advice or concurrence, about ſpeedy Depoſing and Executing CHARLES their lawfull Soveraigne, to pleaſe the Generall, Officers, and Counſell of the Army, (who have uſurped to themſelves the Supreme Authority both of King and Parliament) or rather the Ieſuits and Popiſh Prieſts among them.*

71. Mr. *Pryns Memento* to the unparliamentary Iunto.

1. By

1. By the Common Law the *Stat.* 25. *Edw.* 3. and all other Acts concerning Treaſon, *It is High Treaſon for any man by overt act to compaſſe the death of the King, or his eldeſt Sonne, though never executed:* and ſo adjudged by Parliament in the Earle of *Arundels* Caſe, 21 *Ric.* 2. *Plac. Coronæ, n.* 4, 6, 7. *Cok. 3 Inſtit. 4. 1. Stamf. Pleas of the Crowne. l. 1. c. 1, 2.*

2. In the Oath of Allegiance (which every man takes before he ſits in Parliament) you acknowledge Him to be *lawfull and rightfull King of this Realme; and that the Pope neither of himſelf, nor by any authority of the See of* Rome, *or by any other meanes, with any other, hath any* Power *or Authority to depoſe the King, &c.*

3. Your ſelves amongſt other Members, in above one hundred Remonſtrances, Declarations, Petitions, Ordinances, &c. in the name of the Parliament have profeſſed, *you never intended the leaſt hurt, injury, or violence to the Kings Perſon, Crowne, Dignity, or Poſterity; but intended to Him and His Poſterity more Honour, Happineſſe, Glory, and Greatneſſe than ever any of His Predeceſſors enjoyed. That you would make good to the uttermeſt with your lives and fortunes the Faith and Allegiance you have alwaies borne to him. That all Contributions, Loanes, ſhould be imployed onely to maintaine the* Proteſtant *Religion, the Kings Authority, Perſon, Royall Dignity, Lawes of the Land, Peace of the Kingdome, and Priviledges of Parliament. That the Forces raiſed by the* Parliament *were for defence of the Kings Perſon, and of both Houſes. That the* Parliament *will ever have a care to prevent any danger to His Perſon. That they are reſolved to expoſe their lives and fortunes for maintenance of the Kings Perſon, Honour, and Eſtate, and the* Power *and Priviledges of* Parliament, when the King taxed the Houſes for inſinuating. *That if they ſhould make the higheſt preſidents of other* Parliaments *their patternes* (that is, Depoſe the King) *there could be no cauſe to complain of them:* Both Houſes by two Declarations proteſted againſt it, ſaying, *That ſuch thoughts never entred, nor ſhould enter into their Loyall hearts.* Exact Collect p. 16. 19. 21. 59. 66. 83. 102. 103. 118. 123. 125. 141. 142. 143. 173. 180. 195. 219. 259. 281. 307. 380. 312. 360. 376. 457. A Collect. &c. p. 13. 18. 41. 43. 44. 49. 51. 61. 64. 96. 181. 182. 310. 321. 424. 425. 459. 599. 623. 696. 806. 807. 879. Appendix p. 15.

4. By the Proteſtation, *they Declare in the preſence of God to defend the Kings Perſon and Eſtate, and that their Armies under* Eſſex *and* Fairfax *were raiſed for that purpoſe* inter alia. Exact. Collect. pag 298. 695. 696. 637. 638. 991.

5. By the Nationall Covenant, *they vowed to defend the Kings Perſon and Authority in preſervation of true Religion and Liberties* Collect. of all Orders, p. 8. 13. 41. 43. 44. 49. 51. 61. 64. 90. 96. 623. 690. 879. Appendix pag. 15.

of the Kingdome, and that they will all the daies of their lives continue in this Covenant against all opposition.

6. You monopolize *the Supreme power* into your owne hands, robbing both King, Lords, & the rest of your fellow Members thereof, whom you are content should be violently shut out by your Army, who have leavied Warre against the Parliament to dissolve it; till the removall of which force, and restoring your Members with freedome and safety, you ought not to sit or Act by your Armies owne doctrine in their Remonstrance, *Aug.* 18. & by the Declaration and Ordinance of both Houses, *Aug.* 20. 1647. Sec. 21. *R.* 2. c. 12. 1. *H.* 4. c. 3. 31. *H.* 6. c. 1. 39 *H.* 6. c. 1. See the memorable Record, 6. *E.* 3. *Parl. apud Ebor. n.* 1, 2. *dorso clauso.* 6 *E.* 3. *m.* 4. 6 *E.* 3. *apud Westm. Parl.* 2. *n.* 1, 13. *E.* 3. *Parl.* 2. *n.* 4. & many more Rolls, *Where Parliaments when any considerable number of Members of either House were absent, refused to sit* (though under no force) *till the Houses were full.*

Also, 15. *E.* 3. n 5. 17. *E.* 3. n. 2. 6. 18. *E.* 3. n. 1. 2. 5. &c. 1 *R.* 2. n. 1. 2. *R.* 2. n 1 3. *R.* 2. n. 1. 4 *R.* 2. n. 1. 5. *R.* 2. Parl. 1. n. 1. Parl. 2. n. 1. 3 *H.* 4. n. 28.

7. You have neither Law nor president for what you doe, *Edw.* 2. *Rich.* 2. were forced by *Mortimer* and *H.* 4. to resigne their Crowns in a formall way, one to his Sonne, the other to his conquering Successor, neither of them to the Parliament, and at last Deposed by a subsequent Sentence of Parliament, *as unfit to Reigne*, without any formall Triall.

* 72. The Armies party in the H: approve the matter of the C: of Officers accusatory Answ against the secured Memb: without hearing them See Mr. *Io: Geeres* Answ: to that silly Sophister *Io: Goodwin*, called *Might overcomming right.*

* *Ian.* 11. 1648. The House read the Answer of the Generall Counsell of the Army, concerning the secured & secluded Members, and (as I have formerly said) without hearing what the said Members could say for themselves, approved the matter of it: whereupon the secured and secluded Members, 20. *Ian.* 1648. (with much adoe) got printed their *Vindication, against the Aspersions cast upon them in The humble Answer of the Generall Counsell of the Officers of the Army, concerning the securing & secluding of the said Members:* The summe whereof is as followeth:

73. The sec. & secl: Mem, Defence aginst the scandalous Ans: of the C: of VV:

By the Preamble of this Answer, & by the Proposals of the 6. *Decemb.* and the late Declaration and Remonstrance therein cited, it appeares this designe *to breake the House by force* hath been long since plotted and contrived with action. The Generall Councell of the Army in their said Answer, say, *Is a course in it selfe irregular and not justifiable, but by honest intentions and extraordinary necessity:* the weaknesse of which Answer we must examine,

mine, but firſt muſt ſtate the caſe between us: *They are an Army raiſed by Ordinance of Parliament, of* 15. Febr. 1644. *for defence of King and Parliament, the true* Proteſtant *Religion, the Lawes and Liberties of the Kingdome, and to be from time to time ſubject to ſuch Orders and directions as they ſhall receive from both Houſes of* Parliament: and to this end they ſtand Commiſſioned by them, and receive pay from them to this day. And beſides this truſt thus lying upon them, they are under the obligation of a ſolemne Covenant, ſworn to God, *That they will in their place and callings, with ſincerity, reality, and conſtancy with their eſtates and lives, preſerve the Rights and* Priviledges *of the* Parliament, *and the Liberties of the Kingdome, and defend the Kings Perſon and Authority in defence of the true Religion, and Liberties of the Kingdome;* they being under the ſaid truſts and Oath, march up to *Weſtminſter* (contrary to order) in a hoſtile way, forcibly ſecured, ſecluded, & drove away many of the Members: the Queſtion is, *Whether this Action be Iuſtifiable upon pretence of Honeſt intentions and Neceſſity?*

Their good intentions cannot be known but by their expreſſions and actions; and they referre us to their Propoſals, Declarations, and Remonſtrances, where we find their deſires are:

1. *To take away the Kings life.*
2. *To take away the lives of the* Prince, *and the Duke of* Yorke; *at leaſt to diſ-inherit both them and all the Kings Children.*
3. *To put a period to this* Parliament.
4. *To ſet up a new Repreſentative of their owne, which takes away all* Parliaments.
5. *To have an Elective King, if any.*

Theſe are their Honeſt intentiõs for publique good, which muſt come in to juſtice their waging warre againſt their Maſters this Parliament: To name them, is to confute them, as being apparently againſt the Lawes of God and the Land, under which they live, & which they are engaged to maintaine; we ſhall produce no other Witneſſes to prove this but themſelves. On the 15. of *Novemb.* 1647. *The Agreement of the People,* (which is lower in demands than theſe which they call, *Honeſt intentions for publique good*) was condemned by the Army. The promoting it in the

Army

Army judged *mutinous and capitall;* Col: *Rainsborough* and Major *Scot* complained of in the Houſe for appearing in it, and the Paper it ſelf adjudged by the Houſe, *deſtructive to Government and the being of Parliaments.*

The ſecond pretence or Principle is, *Extraordinary Neceſſity for the ſame end.*

To this we ſay, 1. The Army made the ſame plea of *neceſſity* in their Remonſtrance, *Iune* 23. 1647. upon quite contrary grounds to what they expreſſe now, & both to juſtifie the ſame violent proceedings againſt the Parliament, then, when the King was ſeized upon by a Party of the Army (without Order from the Houſe) & the Army advanced againſt the Parliament. They ſay in their Letter to the Houſe, *Iuly* 8. 1647. *There have been ſeverall Officers of the Army upon ſeverall occaſions ſent to his Majeſty; the firſt, to preſent to Him a Copy of the Repreſentations; and after that ſome others, to tender Him a Copy of the Remonſtrance: upon both which, the Officers ſent, were appointed to cleer the Sence and intentions of any thing in either, Paper, whereupon His Majeſty might make any Queſtion.* There the Army Treated with the King, yet now they offer violence to the Parliament for Treating with the King. Then in their Remonſtrance, 25. *Iune*, 1647. they ſay, *We clearly profeſſe, We doe not ſee how there can be any peace to this Kingdome firme and laſting Without a due conſideration of, and proviſion for the Rights, quiet, and immunities of His Majeſties Royall Family, and His late Partakers*: now they judge the majority of the Houſe corrupt for moving one ſtep towards a peace with the King, though He hath now granted more to them then all the Armies Propoſals then demanded of Him. Thus they make this generall *plea of neceſſity* ſerve to juſtifie the conſiderations; which they are put to by making themſelves Judges of thoſe things they have no calling to meddle with; for by what Authority are they Judges of publique Neceſſity?

Turne back to ſect. 2 and ſee my Aniadverſi upon the Army, 20. *Nov*, 1648. p. 4. 5, 6. 7.

The Parliam: thought it not reaſonable the King ſhould be ſole Iudge of publick neceſſity in caſe of Ship-mony. Return to ſect. 18 where I ſet downe 6. of their Principles.

2. This Principle (*Neceſſity*) is deſtructive to all Government, for as the Generall Officer urgeth *neceſſity* for acting againſt the commands and Perſons of his Superiours; and arrogates to be Judge of that Neceſſity, the Inferiour may urge the ſame Neceſſity (in his judgement) to act againſt the commands of his Generall. The Souldiers gainſt their Officers: any other

20000. men in this Kingdome againſt this Army, and this Army (as againſt this Parliament) ſo againſt any other Repreſentative or Government; and ſo *in infinitum*.

3. The Commons in Parliament are not accountable for the uſe of their truſt to any but the Houſe, being Truſtees of the People not by Delegation, but by tranſlation: all the power of the people being transferred to them for adviſing, voting, & aſſenting (according to their judgments, not according to the judgments of thoſe that ſent them) for otherwiſe the parties electing, and thoſe elected, differing in judgement, one might proteſt againſt what the other had done, and ſo make void all Acts of Parliament. But if their Acts were valid or void at the Electors judgements, yet were the Members onely accountable to them that ſent them, not to Strangers, and in no caſe to the Army; who are themſelves but in ſubordinate truſt to the Parliament for their defence.

The Commons have their Authority from the VVrit of Election, though their election from the people: See the VVrit, *Crompton's* Juriſdict: of Courts, Tit: Parliament.

4. This violence upon the Members, is not onely contrary to the Armies truſt, but againſt their Covenant and Proteſtation: the breach whereof being a morrall evill cannot be made good by honeſt intentions and neceſſity.

The particulars of the ſaid Generall Officers Anſwer, upon which this pretended Neceſſity is grounded, are ſix: but we muſt firſt take notice what is ſaid from the end of the 2. pag. to the end of the 5. before we enter upon them: the ſumme is, *That by the endevors of ſome old Malignant Members, and ly practiſes uſed in new Elections there came in a floud of new Burgeſſes that either are Malignant or Neuters.* To this we ſay, what is done by the majority, is the Act of the whole Houſe; and what is done againſt the majority, is done againſt the whole Houſe: nor was the Ordinance for New Elections carried on by old Malignants, unleſſe the major part of the Houſe were alwaies ſuch, & before the new Elections. It is not hard to ſhew that many of the Officers of the Army came in upon the laſt Elections, & where choſen by thoſe places where they are ſcarce known: upon what influence therefore they came in, let the world judge. And now for the ſaid 6. particulars objected:

In all new Elections there were 2. Indepēdents choſen for one of any other principles. Indepēdents were thē Commiſſioners for the Great Seale, & delivered VVrits to men of their owne Party, who had the advantage to keep them, and chuſe their owne time to deliver them: and Souldiers (under colour of keeping the peace) became great Sticklers in Elections.

The Army betrayed *Ireland* by their diſobedience. They vvould neither go for *Ireland* themſelves, nor ſuffer others to go, 2. part ſect. 26. & 55. 57.

1. *The betraying of* Ireland *into the Enemies hands, by recalling the Lord* Lyſle *from his command there, and putting the beſt part of the ſaid Kingdome and vvhere the Parliament had the ſtrongeſt footing* (Munſter) *into the hands of* Inchiquine *a Natavi Iriſh; vvho hath ſince Revolted from the Parliament, hath lately united vvith the Iriſh Rebels; and vvith them and* Ormond *for the King.* To this we ſay, the Lord *Inchiquine* came in and brought *Munſter* to the Parliament, and preſerved their Intereſt in *Ireland*, in all the heat of their Warres in *England*, when they had little other Intereſt there, and leſſe meanes to relieve them; the Lord *Lyſle* was not recalled from his Command there, but his Commiſſion for Lord Lieutenant expiring, 15. *April*, 1647. on the 17. *April*, he hoyſed ſayle for *England*: after the Lord *Lyſles* returne for *England*, the Lord *Inchiquine* did gallant ſervice againſt the Rebels, tooke many ſtrong Holds from them, and won the Battle of *Knocke-knowes*, one of the greateſt that ever was gotten of the Rebels. The Houſe therefore approved of his behaviour untill 3. *April*, 1648. when (the Army having led the way) the Lord *Inchiquine* (taking diſtaſt thereat) by way of imitation, began to enter into Engagements and Remonſtrances againſt the Parliament, (as it was then conſtituded) for which he made the Remonſtrances, Engagements, and Declarations of the Army the Summer before, both the cauſe and precedent; as by the printed Relation doth appeare.

This Lo: vvent late, carried over 160000 l. for vvhich he hath not yet accounted, began a quarrell vvith *Inchiquine* & put him into diſcontent, & then returned. See the Iriſh Letters & Papers to the Houſe in print.

2. *Their endeavours to bring in the King upon His owne Termes, vvithout ſatisfaction and ſecurity to the Kingdome*, viz: *upon His Meſſage of the* 12. *of* May, 1647. *and to this end to Disband this Army before any peace made or aſſured.* To this we ſay, the Houſe of Commons upon the firſt notice thereof, voted the ſaid Engagement of the 12. of *May*, Treaſonable; & by Ordinance, 17. *Decemb.* 1647. put an incapaciti upon ſuch Citizens as had any hand in it; which evidenceth, we were here in a right majority, as in other parts of their Paper they take the Votes of the Houſe to prove us *a corrupt majority*: The charge here lying in generall, and not fixed upon any particular. Concerning *Disbanding the Army*; we ſay, the Houſe voted 8. *Regiments of Foot*, 4. *of Horſe*, and 1. *of Dragoones*, *to be ſent out of the Army for* Ireland; and reſolved to keep 10000. *Foot*, *and* 5400. *Horſe under Command of the*

the Lord Fairfax *for defence of* England. This was, 1. For Relieving *Ireland*. 2. For eaſing the heavy preſſures of the poor People in *England*. And 3. an honourable employment for the Forces of the Army, to prevent ſuch higſt diſtempers as have ſince enſued.

3. *That they endeavoured to protect the* 11. *impeacked Members from juſtice, and with them to raiſe a new Warre.* To this we ſay, we gave them no other protection than the Laws allowed them. For the miſpending 200000l. deſigned for *Ireland*; we ſay, that 80000l. thereof was paid to *Nickolas Loſtus*, and others, for ſervice of *Ireland*, and above 50000l. to the Treaſurers at Warre for the Army; which may more reaſonably be ſaid to be miſ-imployed (becauſe the Army had an eſtabliſhed pay another way) than what the Reformado Officers and Souldiers (who obeyed the Orders of the Houſe for Diſbanding) received, who nevertheleſſe preſſed upon the Houſe the more earneſtly for their Arreares, after the Declarations and Remonſtrances publiſhed by the Army for paying the Arreares of all the Souldiers of *England*.

See my 1. part. ſect. 16. 17, 18. & my ſaid Animadverſions, pag. 2. neither were they legally impeached. See *Arduus regni*, or twvelve arduous doubts written in defence of the expulſed Members & the ſaid Members Anſ. to the Armies Charge.

4. *Their countenancing, abetting, and partaking with the Tumult of Apprentices, and others againſt both Houſes of Parliament.* To this we ſay, that we wonder they ſhould urge the force offered to the Houſe then (which they declared, *horrid and treaſonable*) to juſtifie the violence acted upon the Houſe by themſelves, of a much higher nature. This is a meer fiction of the Pen-mans, which we doe every one of us for our ſelves reſpectively deny.

There was a cloſe Inquiſition of Godly Cut-throats purpoſely choſe to examine this Tumult; which proceeded illegally, & uſed ſo much foule play as to accuſe men upon characters of their clothes & perſons; yet malice it ſelfe could find nothing. See my 1. part. ſect. 45, 46. to ſect. 54. Return to ſect. 2. & 3.

5. *The holding correſpondency, ingaging, and aſſiſting the tumultuous Petitioners laſt Spring, the rebellious Inſurrections in* Kent, *the Revolted Ships, Prince of* Wales, *with the Scots Army:* We doe every one of us for our ſelves reſpectively deny theſe.

6. *That when the Army was diſpenſed and engaged in ſeverall parts, &c. and many faithfull Members employed abroad upon publique ſervices; and others through Malignant Tumults about this City, could not with ſafety attend the Houſe. Then the corrupt and Apoſtating Party taking advantage of theſe diſtractions which themſelves had cauſed: Firſt, recalled in thoſe Members, &c. Then they recalled thoſe Votes for Non-Addreſſes, and voted a Perſonall Treaty.* To this we ſay, that if the proceedings of the Treaty were ſur-

reptitiouſly gotten in a thin Houſe, why do they then complain in other parts of their Paper, *that the majority of the Houſe is corrupt, and formed to ſerve the Kings corrupt Intereſt*? why did they force from the Houſe above 200. Members at once; the Counties never expreſſed ſo high contempt of the Parliament, untill the like had been firſt done by the Armies quartering upō them?

Return to ſect. 2. & 5. there ſee the true grounds of theſe Tumults. See vvhatuſe they make of *Providence* in the 2. part of *Englands* nevv Chaines.

And now let us come to that Vote of the Houſe, 5. *Dec.* 1648. *That the Kings Anſwer to the Propoſitions of both Houſes are a ground to proceed upon to a ſettlement of Peace*: of which they ſay, *That though they advanced hither to attend providence for opening ſome way to avoid the preſent evils deſigned, and introduce the deſired good into the Kingdome, yet they ſaid nor acted nothing in relation to the Parliament, nor any Member thereof, untill by the Vote paſſed*, Decemb. 5. *they found the corrupt majority ſo reſolvedly bent to compleat their Deſigne in bringing in the King.* Doe they call their threatning Declaration & Remonſtrance a ſaying nothing? and their marching up againſt the Houſe, contrary to the Order of the Houſe, a doing nothing in relation to the Parliament? But by theſe words it appeares that this Vote, 5. *Decemb.* is the very point of that neceſſity they now relie upon to juſtifie their force upon the Houſe: For, before that paſſed, they ſay, *They acted nothing, &c.* we muſt now ſtate the difference between the Houſes Propoſitions, and the Kings Anſwers; and ſee whether the King did not grant all thoſe Propoſitions in which te maine ſecurity of the Kingdome reſteth.

See Mr. Pryn's ſaid Speech in the Houſe, 4. *Decemb.* 1648. more at large.

He granted the firſt Propoſition *for taking off all Declarations*; as was deſired.

And the third Propoſition *for the Militia*, as was deſired.

He aſſented to *the Propoſition for* Ireland; *limiting the time of the Parliaments diſpoſing Officers there to* 20. *yeares.*

He conſented to ſuch Acts *for publique Debts and Publique Vſes, as ſhould be preſented within* 2. *yeares, and incurred within that time.*

Hee granted the Propoſition *concerning Peeres*, as was deſired.

Hee granted the *Diſpoſing Offices in* England, *to the Parliament, for* 20. *yeares.*

He granted *the taking away the Court of Wards, having* 100000l. per

per ann. *in lieu thereof to be raiſed as the Parliament ſhould thinke fit.*

Hee granted *to Declare againſt the Marqueſſe of* Ormond's *power and proceedings after an Agreement with the Parliament.*

The onely difference therefore remained upon two Propoſitions:

1. *Delinquents.*
2. *The Church.*

For Delinquents, though He doth not grant all, His Majeſty conſented *they ſhall ſubmit to moderate Compoſitions, according to ſuch proportions as they and the two Houſes ſhall agree.*

2. He diſableth them *to beare Offices of Publique Truſt, and removes them from the Kings, Queens, and Princes Court.*

3. For ſuch as the Houſes propounded *to proceed capitally againſt,* He leaves them to a Legall Tryall; and Declares, *He will not interpoſe to hinder it:* which ſatisfies the maine complaint of the Parliament, which was (in the beginning of the Warre) *That the King protected Delinquents from juſtice.* And all that the Houſe deſired in the Propoſitions preſented to Him at *Oxford, Febr.* 1642. was, *That His Majeſty would leave Deliquents to a Legall Tryall and Iudgement of Parliament.* But that His Majeſty ſhould joyne in an Act for taking away the Lives or Eſtates of any that have adhered to Him (He truly profeſſeth) *He cannot with Iuſtice and Honour agree thereto.*

4. Nor doe we ſee how Delinquents (being left to the Law) can eſcape juſtice, the King having granted the 1. proemiall Propoſition, & (ſo by a Law) acknowledged the Parliaments Cauſe and Warre to be juſt.

For the Church. The Houſes propound the utter *aboliſhing of Archbiſhops, Biſhops, &c. The Sale of their Lands, that Reformation of Religion be ſetled by Act of Parliament as both Houſes have, or ſhall agree.* The Kings Anſwer takes away Church-Government be Archbiſhops, Biſhops, &c. by taking away their Courts and Officers, and ſo farre takes away their power of Ordination that it can never be revived againe but by Act of Parliament; ſo that Epiſcopacy is diveſted of any actuall being by the Law of the Land, & inſtead thereof the Preſbyterian Government ſetled for three yeares by a Law; which is for ſo long a time as the

Houſes formerly in their Ordinances preſented to Him at *Newcaſtle* did themſelves thinke fit to ſettle it: For the Sale of Biſhops Lands upō the Publique Faith; we ſay, That although the Purchagers might well have afforded to have given the ſame rates for their purchaſes (which they now give) if they might have had them aſſured by Act of Parliament for 99. yeares, and ſuch moderate Rents reſerved as the King intimates in his Anſwer; yet (in His Anſwer) He expreſſeth a farther ſatisfaction to be given them: upon which we ſhould have inſiſted, notwirhſtanding the ſaid Vote.

Every cheating Saint of the Faction muſt have the Publique Faith exactly kept, though he bought the Lands but at 2. or 3. yeares juſt value, and vvith ſuch monies as he had formerly cheated the State off; vvhen other men vvho have loſt the beſt part of their Eſtates by and for the Parliament, for compenſation vvhereof they have the Publique Faith engaged by Ordinances, are conſumed by Taxes, and repayed vvith reproaches onely.

5. *Decemb.* 1648. We farther alleage, That the King having granted the reſt of the Propoſitions, and ſo much in theſe 2. Delinquents, and the Church; the Nationall Covenant doth not oblige us to make Warre upon this point: nothing can make Preſbytery (nor the Purchaſers of Biſhops Lands) more ordious, nor endanger them more, than to make them the ſole obſtacle of peace; nor could any thing more worke the King to comply with our deſires herein, than for us to draw a little neerer Him.

The Conſiderations leading us to paſſe the ſaid Vote, 5. *Dec.* 1648. come next to be conſidered:

1. *The ſaving of* Ireland.
2. *The Regaining the Revolted Navy and freedome of the Seas.*
3. *The ſupport of the Auncient Government of the Kingdome.*
4. *The putting the people into a ſecure poſſeſſion of their Laws and Liberties.*
5. *The avoiding ſuch evill conſequences as were apparently to follow a Breach with the King.*

Returne to ſect. 71.

As 1. the Depoſing the King, if not the depriving Him of life: whereupon flouds of miſery will follow, and ſchandall to the Proteſtant Religion, which we (from our hearts) deteſt & abhorre: ſee the many Declarations of Parliament againſt it.

2. The neceſſitating of the Prince to caſt himſelfe into the Armes of forreigne Popiſh Princes, & embrace Popiſh Allyances for his ſuccour.

3. It

3. It may beget a change of Government, and a laying aſide of Monarchy here: and ſo a Breach with *Scotland*, and this Kingdome (being the more rich) likely to be the Seate of the Warre.

4. The vaſt Debts of this Kingdome upon the Publique Faith, will never be paid in Warre, but increaſed and multiplied: multitudes of Sufferers by, and for the Parliament like to be repayed onely with new ſufferings, & every years Warre deſtroies more Families, and makes more Malignants through diſcontenting preſſures: untill at laſt the Souldier ſeeing no hope of pay, the People no hope of peace and caſe, fall together into a generall and deſperate tumultuouſneſſe; the power of the Sword apparently thereatning a diſſolution of Governement both in Church and Common-wealth.

To that ſcandalous Objection, which ſaith, *The corrupt majority will not lend an eare to admit a thought towards the laying downe their owne power, or rendring it back to the People from whom they received it.* We ſay, this Objection is unreaſonable from men who endeavour to perpetuate an Army upon the Kingdome: nor is the continuance of this Parliament ſingly objected, but that they will not render it back to the People, *viz:* To a new Repreſentative, invented and made by the Army, that is, We will not render our power into the hands of the Army.

Another Objection is, *That whatſoever the King granted, He might plead Force to breake it, and ſpoyle us by policy.* This Objection might have been made againſt all our Treaties: If there be any Force, it is from the Army, for ſpoyling us by policy. The Kings of this Land could never encroach upon our good Lawes, but by corrupt Iudges and Miniſters, who though they could not abrogate the Law, made it ſpeake againſt it ſelfe, and the intended good of the People; or elſe by the power of Courtiers, ſtopping the courſe of juſtice at the Councell Table; and in other Arbitrary Courts: both which are taken away by the Kings Conceſſions.

1. *That the Nomination of Iudges and Officers be in the Parliament.*

2. *That the King make no new Parliament Lords for the future to Vote there.*

Another

Another Objection is, *That they had intelligence, that had they been ſuffered to meet all in the Houſe once more, it was deſigned to have paſſed ſome higher reſolutions, to lay further foundations of a new quarrell, ſo as to carry therein the name and countenance of Parliamentary Authority together with the Kings, upon an acceptable pretence of Peace, to draw men in, and then to have adjourned the Parliament for a long time, excluding all remedy in this caſe but by another Warre.* To this we ſay, the Houſe immediatly upon paſſing the Vote, 5. *Decemb.* Sent a Committee to the Generall to conferre with him and his Officers, and keep a good correſpondency with them: To which, the Generall promiſed his readineſſe, howſoever it was hindred afterwards. And then they ſeized upon one of the Commiſſioners appointed to Treat, affronted another, and left no way free for a Conference, which ſhewes they were reſolved to doe what they had deſigned.

For this you muſt take the faith of the myſty-brayned Pen-man, who had this (as well as many other groſſe Lies) by Revelation. The Army had had the King in their power, and had the Parliament adjourned, the ſole power of the Kingdom had been left in the Army; which is a thing aymed at by them.

The laſt Obj. is, *That thoſe Members that are yet detained in Cuſtody, are either ſuch as have been formerly Impeached, and* (in part) *judged by the Houſe for Treaſon, and other Crimes, and never acquitted, and againſt whom they can, and very ſhortly will produce new matter of no leſſe crime; or elſe ſuch who have appeared moſt active and united in Councels with them: againſt whom alſo they are preparing, and ſhall ſhortly give matter of particular Impeachment.* To this we ſay, that when it appeares what thoſe crimes are, and what perſons are charged with them, we doubt not but they will ſufficiently acquit themſelves, if things may be Legally carried in a judiciall way by competent Judges not preingaged. In the meane time we conclude, That Souldiers, whoſe advantages ariſe by Warre, are not fit to judge of the Peace of the Nation.

74. A Declaratiõ by Mr. *Walker*, and Mr. *Pryn*.

The 19. *Ian.* 1648. Mr. *Pryn*, and Mr. *Walker*, (two of the ſecured Members) publiſhed in print their Declaration and Proteſtation, againſt the Actings and proceedings of the Army and their Faction now remaining in the Houſe of Commons: as followeth:

A

A Declaration and Proteſtation of Will : Pryn , and Clem : Walker, *Eſquires; Members of the Houſe of Commons; Againſt the preſent Actings and Proceedings of the Generall, and Generall Councell of the Army, and their Faction now remaining and ſitting in the ſaid Houſe.*

WHereas long ſince, for eaſe of the People, both Houſes in a full & free Parliament Voted the Diſbanding of this Army: in oppoſition to which, ſome great Officers of the ſaid Army, (to continue their rich Commands) with ſome Members of the Houſe of Commons, (who daily inrich themſelves by the troubles of the times) ſecretly mutinied the Army againſt the Parliament. And whereas, lately the farre major part of the Houſe of Commons, pitying the bleeding condition, and teares of the oppreſſed People, Voted, and entred into a Perſonall Treaty with the King: without which (by the Armies own confeſſion in their Remonſtrance at Saint *Albons*, *p.* 64.) there can be no peace; which the Army interrupted by obtruding upon the Commons a treaſonable Remonſtrance, 20. *Novemb.* 1648. tending to deſtroy the King, and His Poſterity, and wholly to ſubvert all Parliaments, Religion, Lawes, & Liberties for ever; whereby the Commons in Parliament found it abſolutely neceſſary to prevent ſuch pernitious innovations, by cõcluding a ſafe peace with His Majeſty; whereupon (after mature debate) the Houſe of Commons the 5. *Decemb.* 1648. Voted, *That the Kings Anſwer to the Propoſitions of both Houſes upon the Treaty, were a ground for the Houſes to proceed to the ſetlement of a ſafe and well-grounded Peace*: Upon which, the Generall, and Councell of Warre, Wedneſday morning, 6. *December*, 1648. Seized & Impriſoned 41 of the Members going to the Houſe of Commons to doe their Duty, ſecluded above 160. other Members, beſides 40. or 50. Members who voluntarily withdrew themſelves to avoid their violence, leaving onely their owne engaged party of 40. or 50. Members ſitting, who now paſſe Acts of Parliament of the Houſe of Commons (as they call them) without the Lords; and comply with the ſaid Councell of Warre, to carry on the ſaid Remonſtrance: To which purpoſe this preſent remnant of the

Commons have unvoted in a thin Houſe, under the force of the Army, what was deliberately Voted in a full and free Houſe; whereas by their owne Ordinance paſſed upon the Tumult of Apprentices, 20. *Auguſt*, 1647. to null, and make void *ab initio*, all Acts, Orders, Votes, &c. paſſed under the ſaid force: This remaining Party ought not to ſit, act, nor take upon them the ſtyle af a Houſe, under ſo viſible, actuall, and horrid a Force.

The premiſes conſidered, We, whoſe names are hereunto ſubſcribed, Members of the Houſe of Commons, doe declare & proteſt, That the ſaid Generall, Commiſſioned Officers, & Generall Councell of the Army, by the ſaid act of violence, upon the major part of the Houſe, which legally and virtually is the whole Houſe, have waged Warre, and Rebelled againſt the Parliament their Maſters, who raiſed them to defend the Priviledges of Parliament, & the Kings Perſon & Authority, in defence of Religion, Lawes, & Liberties, and have thereby forfeited their Commiſſions, and have broken and diſ-continued this Parliament; ſo that, untill this force be removed, puniſhed, the Honour of the Parliament and their wronged Members vindicated, and all the Members reſummoned, all the Votes, Orders, & Actings, Paſſed, and to be Paſſed by this nominall Houſe of Commons, are, and will be void, *ab initio*, and all ſuch as doe, or ſhall obey them, are and will be puniſhable, both by the Armies owne judgment in their Remonſtrance, *Auguſt* 18. and by the Houſes Declaration, and the ſaid Ordinance, 20. *Auguſt*, 1647.

We doe farther declare & proteſt againſt this preſent Houſe of Commons illegall Acts, Order, or Ordinance, for erecting a High Court of Juſtice, & uſurping a power without any Law or preſident, to Trie, Depoſe, and bring to capitall puniſhment the King, and to Diſ-inherit His Poſterity, or any of them, and againſt the ſaid Generall Councell of Officers, aiding and abetting them therein, as highly impious againſt the Law of God, Nations, & the Proteſtant Profeſſion, Traytors againſt the *Stat.* of Treaſons, 25. *Edw.* 3. and againſt all Lawes and our Statutes; perjurious and perfidious, againſt the Oaths of Allegiance, Supremacy, Nationall Covenant, and Proteſtation; all the Parliaments Declarations & Remonſtrances held forth to the world; their Treaties and promiſes made to the *Scots* when they delivered

vered the Kings Person into our hands; against our promises made to the *Hollanders*, and other Nations, and against all the Professions, Declarations, Remonstrances, and Proposalls made by this Army, when they made their Addresses to the King at *New-market*, *Hampton-Court*, and other places.

January 19. 1648. *William Pryn.*

Clem: Walker.

About this time the Generall Councell of Officers at *White-Hall*, ordered, *That two Petitions* (or mandates rather) *should be drawn, and presented to their House of Commons; One against Payment of Tythes; the other, for Repealing the Act for Banishment of the Iewes.* Here you see they shake hands with the Jewes, and crucifie Christ in his Ministers, as well as in his Anointed, the King.

71. The Count of Officers order 2. Petit: for the Com: House, 1. against Tyths, 2. against the Stat. for Banishing the Iewes,

About this time Col: *Tickburne*, & some schismaticall Common-Councell-men, presented a Petition to the supreme Authority the Commons in Parliament, demanding *justice against all grand and capitall Actors in the late Warres against the Parliament from the highest to the lowest: the Militia, Navy, and all Places of power to be in faithfull hands*, (that is, in their owne Faction, all others being displaced under the generall notion of Disaffected) *to settle the Votes*, (*That the supreme Authority is in the Commons in Parliament assembled.*) They complained, *That the Lord Mayor, and some Aldermen, denied to put their Petition to the Question at the Common Councell, and departed the Court, with the Sergeant and Town-Clerke, That the Court afterwards passed it Nemine contradicente.* The Commons thanked the Petitioners (for the tender of their assistance) and Ordered, *That the Petition should be entered amongst the Acts of the Common Councell, and owned them for a Common Councell notwithstanding the departure of the Lord Mayor, &c.* And about foure or five daies after, the Commons Ordered, * *That any six of the Common Councell, (upon emergent occasions) might send for the Lord Mayor to call a Common Councell themselves, and any forty of them to have power to Act*

76. Col. *Tickburnes* Pet: and Complaint against the Ld. Mayor, & their Orders thereupon. The like Petitiõs were invited from most Counties, where a dozen Schismaticks and two or three Cloaks represented a whole County.

* See a just & solemne Protest: of the free Citizens of *London*, against the Ordinance, 17. *Decemb*, 1647. disabling such as had any hand in the City Engagement to beare Offices.

as a Common Councell without the Lord Mayor, any thing in their Charter to the contrary notwithſtanding. Thus you ſee the Votes of this ſupreme thing (the Houſe of Commons) are now become the onely Lawes and Reaſon of all our actions.

77. An Act paſſed for adjournment of part of *Hillary Terme*, and the Lords concurrence rejected.

The 16. *Ian.* 1648. was paſſed an Act of the Commons *for adjournment of Hillary Terme for forty daies.* This was in order to the Kings Triall, but the Commiſſioners of the Great Seale, declared, *That they could not agree to ſeale Writs of Adjournment without the Lords concurrence*, (the aſſent of one Lord being requiſite) their tame Lordſhips ſent downe to the Commons to offer their readineſſe *to joyne therein.* But the Commons having formerly Voted, *The Supreme Power to be in themſelves as the Peoples Repreſentative, and that the Commons in every Committee ſhould be empowered to Act without the Lords.* The Queſtion was put, *Whether the Houſe would concurre with the Lords herein?* which paſſed in the *Negative:* ſo the Lords were not owned. Afterwards they ordered, *that the Commoners (Commiſſioners for the Great Seale) ſhould iſſue forth Writs without the Lords.*

78. *The Agreement of the People* preſented to the Houſe of Commons by the Officers of the Army. *Diurnall*, from *Ian.* 15. to 22. 1648. nu. 286.

20. *Ianuary*, Lieut. Generall *Hammond*, with many Officers of the Army, preſented to the Commons from the Generall and Councell of the Army, a thing like *a Petition*, with *The Agreement of the People*, annexed. Mr. Speaker *thanking them*, deſired them *to returne the hearty thanks of the Houſe to the Generall and all his Army for their gallant ſervices to the Nation; and deſired the Petition and Agreement ſhould be forthwith printed, to ſhew the good affection between the Parliament and Army.* I cannot blame them to brag of this affection, being the beſt ſtring to their bowe. About this time ſome wel-meaning man (that durſt think truth in private) publiſhed his thoughts under the Title of [*Six ſerious Quæries, concerning the Kings Triall, by the High Court of Iuſtice.*]

79. 6. Queries concerning the Kings Triall by the new High Court of Iuſtice.

1. Whether a King of three diſtinct Kingdoms can be condemned & executed by one Kingdom alone, without the concurrent conſent, or againſt the judgement of the other two?

2. Whether if the *King* be indicted or arraigned of *high Treaſon*, he ought not to be tried by his Peers? & whether thoſe who are now nominated to trie him, or any others in the Kingd: be his Peers?

3. Whether if the King be triable in any Court, for any Treaſon againſt the Kingdome, He ought not to be tried onely in full Parlia-

Parliament, in the moſt ſolemne and publique manner, before all the Members of both Houſes, in as honourable a way, as *Strafford* was, in the beginning of this Parliament? And whether He ought not to have liberty and time to make His full defence, and the benefit of his learned Counſell, in all matters of Law, that may ariſe, in, or about his Triall, or in demurring to the juriſdiction of this illegall new Court, as *Strafford* and *Canterbury* had?

4. Whether one eight part only of the Members of the Commõs Houſe, meeting in the Houſe, under the Armies force, when all the reſt of the Members are forcibly reſtained, ſecluded, or ſcared away by the Armies violence, and repreſenting not above one eight part of the Counties, Cities, & Boroughs of the Kingdome, without the conſent & againſt the Vote of the majority of the Members, excluded and chaſed away, and of the Houſe of Peeres, by any pretext of Authority, Law, or Juſtice, can erect a New great Court of Juſtice to Trie the King, in whom all the reſt of the Members, Peeres and Kingdome (being far the major part) have a greater intereſt then they? Whether ſuch an High Court can be erected without an Act of Parl: or at leaſt an Ordin: of both Houſes, and a Commiſſion under the Great Seal of *England*? And if not, whether this can be properly called a Court of Juſtice? and whether it be ſuperiour or inferiour to thoſe who erected it? who either cannot or dare not trie and codemn the King in the Com: Houſe; though they now ſtyle it, *The Supreme Authority of the Kingdom:* & whether all who ſhall ſit as Judges, or act as Officers in it, towards the Depoſing or taking away the Kings life, be not realy guilty of High Treaſon, and all thoſe who were aiding or aſſenting to the erection thereof in ſuch an irregular manner, by the Lawes and Statutes of this Realme?

5. Whether thoſe who are profeſſed Enemies to the King, & by their Remonſtrances, Speeches, & actions, profeſſe they deſire his bloud & ſeek his life, can either in Law or Conſcience be reputed competent Judges to trie him for his life? It being a juſt exception to any Jury-man, who is to trie the baſeſt or pooreſt Felon, and a legall challence for which he muſt be withdrawne; that he is a profeſſed Enemy and Proſecutor who ſeeks his life, and therefore no lawfull nor indifferent Trier of him for it.

6. Whether the triall and taking away of the Kings life by

ſuch an illegall and arbitrary High Court of Iuſtice, as this, will not prove a moſt dangerous inlet, to the abſoluteſt tyranny and bloudieſt butchery ever yet heard of, or practiſed in this, or any other Nation? & a ready way to teach us, how to chop off one anothers heads, till we are all deſtroyed? For if they may take away the Kings head in it without, and againſt all rules of Law: then by the ſame or ſtronger reaſon, they may in like manner chop off the heads of any Noblemã, Peere, Member, Gentleman, or inferiour Subject for any imaginary treaſon or offence, and confiſcate their Eſtates, there being no aſſurance they will ſtop at the Kings: And if thoſe who are confeſſed to be the majority of the Com: Houſe, & therefore excluded, or the Prince of *Wales* next Heir to the Crown, or the Malignant party, or any other Faction whatſoever which may ariſe, ſhould at any time hereafter get the upper-hand by the Peoples general adhering to them, or any diviſions of the Army, or by any meanes Gods providence ſhould adminiſter (who hath thouſands of wayes to pull downe the proudeſt Tyrants, & diſſipate the ſtrongeſt Armies in a moment, as he did *Senacharibs*, the Midianites, the Moabites, and Ammonites, with ſundry others recorded in ſacred Writ, and prophane Stories, and the Scots Army but few months ſince) they may by like authority and preſident erect the like new Court, to cut off the heads of all the Members now ſitting, and of the preſent Generall Councell of the Army, and all the Commiſſioners acting in this new Court; and ſo fall a murthering and butchering one another, till we were all deſtroyed one by another, and made a ſpectacle of moſt unnaturall tyranny and cruelty to the whole world, Angels, and Men, and a prey to our common Enemies. Upon which conſideration, let every man now ſeriouſly lay his hand upon his owne breaſt, & ſadly conſider what the bloudy tragicall iſſue of this new *Phaleris* Bull, may prove to him or his; and whether every Free-borne Engliſh-man (eſpecially of Nobleſt birth, & ampleſt Eſtate) be not deeply obliged in point of prudence and conſcience to uſe his utmoſt endeavour with hazard of life and eſtate, to prevent the erection of ſuch an exorbitant & illegall Authority, in the very riſe and foundation, ere it be over-late; & not patiently ſuffer a raſh inconſiderate number of Hotſpurs (of meane condition

The Anſwer of the Generall Councell of Officers, touching the ſecluded Members, Jan. 3. 1648.

and

and broken deſperate fortunes for the moſt part) out of private malice, feare, or deſignes to ſecure and enrich themſelves by the ruines of others of better fortunes and quality; to ſet up ſuch a new ſhambles to butcher and quarter the King, Nobles, Parliament-men, Gentlemen, and perſons of all conditions, as was never heard of among Pagans or Chriſtians, from the Creation to this preſent, and will no way ſuite with our Engliſh ſoile, already overmuch watred with Engliſh bloud; and ſo deeply ingaged againſt all arbitrary and tyrannnicall uſurpations & proceedings (eſpecially capitall) in any hands whatſoever, which have coſt us ſo much bloud and treaſure to oppoſe and fight againſt for ſeven yeares laſt paſt.

80. The firſt dayes Trial of his Majeſty.

Saturday, *Ian.* 20. 1648. The new thing called *The High Court of Iuſtice* ſate: *Bradſhaw* being Preſident, who had the Mace & Sword carried before him, & 20. Gentlemen (forſooth) with Partiſans for his Guard, under the command of Colonel *Fox* the Tinker. An *O yes* being made, and *ſilence* commanded: the ſaid Act of the Commons for erecting the ſaid Court was read, and the Court called, there being about 70. of the Commiſſioners preſent. Then the King was brought to the Bar by Col: *Hacker* with Halberdeers, the Mace of the Court conducting Him to his Chaire within the Barre, where he ſate. And then Preſ. *Bradſhaw* ſaid to the King, *Charles Stuart King of* England; *The Commons of* England *aſſembled in Parliament being ſenſible of the great calamities brought upon this Nation, and of the innocent bloud ſhed (Which are referred to you as the Author of it) according to that duty Which they owne to God, the Nation, and themſelves, and according to that power and fundamentall truſt repoſed in them by the People; have conſtituded this High Court of Iuſtice, before Which you are now brought, and you are to heare your Charge upon Which the Court Will proceed.*

Prove this powver & truſt: The vvhole Kingdome (in effect) denv it. So doe all our Lavv-Books, & the practice of all Ages.

Solicitor *Cooke*. *My Lord, in behalfe of the Commons of* England, *and of all the People thereof, I doe accuſe* Charles Stuart *here preſent of High Treaſon and miſdemeanours, and I doe in the name of the Commons of* England *deſire the Charge may be read unto him.*

The King. *Hold a little.*

Preſident. *Sir, the Court commands the Charge to be read; afterwards you may be heard.* The Charge was read, as followeth:

The

The Charge againſt King Charles *the Firſt*, *January* 20. 1648.

The Charge read.

THat the ſaid CHARLES STUART, being admitted King of *England*, and therein truſted with a *limited Power*, to Govern by, & according to the Lawes of the Land, and not otherwiſe: And by his Truſt, Oath, and Office: being obliged to uſe the power committed to him, *For the good and benefit of the people*, and for the preſervation of their Rights and Liberties; yet nevertheleſſe, out of a *Wicked Deſign*, to erect and uphold in himſelf an unlimited and tyrannicall power, to rule *according to his Will*, and to overthrow the Rights and Liberties of the People; Yea, to take away, and make void the foundations thereof, and of all redreſſe & remedy of miſ-government, which by the fundamentall Conſtitutions of this Kingdom, were reſerved on the peoples behalf, in the right & power of frequent and ſucceſſive Parliaments, or Nationall meetings in Councell; He, the ſaid *Charles Stuart*, for accompliſhment of ſuch his *Deſignes*, & for the protecting of himſelfe and his Adherents, in his and their *Wicked Practiſes* to the ſame Ends, hath trayterouſly and malitiouſly levied Warre againſt the preſent Parliament, & the People therein Repreſented.

Particularly, upon or about the thirtieth day of *June*, in the yeare of our Lord, one thouſand ſix hundred forty and two, at *Beverly*, in the County of *Yorke*: & upon, or about the thirtieth day of *July*, in the yeare aforeſaid, in the County of the City of *Yorke*: & upon, or about the twenty fourth day of *Auguſt*, in the ſame yeare, at the County of the Towne of *Nottingham* (when, & where he ſet up his Standard of Warre:) & alſo on, or about the twenty third day of *October*, in the ſame yeare, at *Edgehill*, and *Keinton-field*, in the County of *Warwicke*: and upon, or about the thirtieth day of *November*, in the ſame yeare, at *Brainceford*, in the County of *Middleſex*: & upon, or about the thirtieth day of *Auguſt*, in the yeare of our Lord, one thouſand ſix hundred fourty & three, at *Caveſham-bridge*, neer *Reading*, in the County of *Berks*: & upon, or about the thirtieth day of *October*, in the yeare laſt mentioned, at, or neer the City of *Glouceſter*;

reſter: And upon, or about the thirtieth day of *November*, in the year laſt mentioned, at *Newbury*, in the County of *Berks:* And upon, or about the one and thirtieth day of *July*, in the year of our Lord, one thouſand ſix hundred forty and four, at *Cropredy-bridge*, in the County of *Oxon:* And upon, or about the thirtieth day of *September*, in the year laſt mentioned, at *Bodmin*, and other places neer adjacent, in the County of *Cornwall:* And upon, or about the thirtieth day of *November*, in the year laſt mentioned, at *Newbury* aforeſaid: And upon, or about the eight day of *June*, in the year of our Lord, one thouſand ſix hundred forty and five, at the Towne of *Leiceſter:* And alſo, upon the fourteenth day of the ſame moneth, in the ſame year, at *Naſeby-field*, in the County of *Northampton*. At which ſeverall times and places, or moſt of them, and at many other places in this Land, at ſeverall other times, within the years aforementioned: And in the yeare of our Lord one thouſand ſix hundred forty and ſix, He, the ſaid *Charles Stuart*, hath cauſed and procured many thouſands of the free-people of the Nation to be ſlaine; and by Diviſions, Parties, and Inſurrections, within this Land, by invaſions from forraigne parts, endeavoured & procured by Him, and by many other evill waies and meanes. He the ſaid *Charles Stuart*, hath not only maintained and carried on the ſaid Warre, both by Land and Sea, during the years before mentioned, but alſo hath renewed, or cauſed to be renewed, the ſaid Warre againſt the Parliament, and good people of this Nation, in this preſent yeare, one thouſand ſix hundred forty and eight, in the Counties of *Kent*, *Eſſex*, *Surrey*, *Suſſex*, *Middleſex*, and many other Counties and places in *England* and *Wales*, and alſo by Sea. And particularly, He the ſaid *Charles Stuart*, hath for that purpoſe, given Commiſſions to his Sonne, the Prince, and others; whereby, beſides multitudes of other Perſons, many ſuch, as were by the Parliament intruſted and employed, for the ſafety of the Nation; being by Him or is Agents, corrupted, to the betraying of their Truſt, and revolting from the Parliament, have had entertainement and commiſſion, for the continuing and renewing of Warre and Hoſtility, againſt the ſaid Parliament and People, as aforeſaid. By which cruell and unnaturall Warres by Him, the ſaid *Charles Stuart*, levyed, continued, and renewed, as

aforesaid, much Innocent bloud of the Free-pople of this Nation hath been spilt, many Families have been undone, the Publique Treasury wasted and exhausted, Trade obstructed, and miserably decayed, vast expence and damage to the Nation incurred, and many parts of the Land spoyled, some of them even to desolation.

And for further prosecution of His said evill Designes, He, the said *Charles Stuart*, doth still continue his Commissions to the said Prince, and other Rebels and Revolters, both English and Forraigners; and to the Earle of *Ormond*, and to the Irish Rebels and Revolters, associated with him; from whom further Invasions upon this Land are threatned, upon the procurement, and on the behalf of the said *Charles Stuart*.

All which wicked Designes, Warres, and evill practises of Him, the said *Charles Stuart*, have been, and are carried on, for the advancing and upholding of the Personall Interest of Will and Power, and pretended Prerogative to Himself and his Family, against the publique Interest, Common Right, Liberty, Justice, and Peace of the People of this Nation, by, and for whom He was entrusted, as aforesaid.

By all which it appeareth, that He, the said *Charles Stuart* hath been, and is the Occasioner, Author, and Contriver of the said unnaturall, cruell, and bloudy Warres, and therein guilty of all the treasons, murthers, rapines, burnings, spoiles, desolations, damage and mischiefe to this Nation, acted or committed in the said Warres, or occasioned thereby.

And the said *John Cooke*, by Protestation (saving on the behalf of the People of *England*, the liberty of Exhibiting at any time hereafter, any other Charge against the said *Charles Stuart*; and also of replying to the Answers which the said *Charles Stuart* shall make to the premises, or any of them, or any other Charge that shall be so exhibited) doth for the said treasons & crimes, on the behalfe of the said People of *England*, Impeach the said *Charles Stuart*, as a Tyrant, Traytor, Murtherer, and a publique and implacable Enemy to the Common-wealth of *England*: And pray, That the said *Charles Stuart*, King of *England*, may be put to answer all & every the premises, That such Proceedings, Examinations, Tryals, Sentence, and Judgement may be thereupon had, or shall be agreeable to Justice.

The

The King ſmiled often during the reading of the Charge, eſpecially at theſe words: *Tyrant, Traytor, Murderer, and publique Enemy of the Common-Wealth.*

Preſident. *Sir, you have now heard your Charge, you find that in the cloſe of it, it is prayed to the Court in the behalfe of the Commons of* England, *that you anſwer to your Charge, Which the Court expects.*

King. *I would know by What power I am called hither? I Was not long agoe in the* Iſle of Wight; *how I came there is a longer ſtory than I thinke fit at this time for Me to ſpeake: But there I entered into a Treaty With both Houſes of Parliament, With as much faith as is poſſible to be had of any People in the World; I Treated there With a number of Honourable Lords and Gentlemen, and treated honeſtly and uprightly, I cannot ſay but they did very nobly With Me; We Were upon a Concluſion of the Treaty. Now I Would know by What lawfull Authority* (there are many unlawfull Authorities, Thieves and Robbers on the Highway) *I Was brought from thence, and carried from place to place?* (and I know not what) *and When I know by What lawfull Authority, I ſhall Anſwer. Remember I am your King, your lawfull King, and What ſinnes you bring upon your owne heads, and the judgment of God upon this Land, think Well upon it, thinke Well upon it, I ſay, before you go on from one ſinne to a greater; therefore let Me know by What lawfull Authority I am ſeated here? and I ſhall not be unwilling to Anſwer. In the meane time I ſhall not betray My truſt: I have a truſt committed to Me by God, by old and lawfull deſcent; I Will not betray it to Anſwer to a new unlawfull Authority.*

Bradſhaw Preſ. *If you had been pleaſed to have obſerved What Was hinted to you by the Court at your firſt coming hither, you Would have knowne by What Authority: Which Authority requires you in the name of the People of* England, *of Whom you are Elected* KING, *to anſwer them.*

King. *I deny that.*

Bradſh.. *If you acknowledge not the Authority of the Court, they muſt proceed.*

King. *I doe tell them ſo,* England *Was never an Elective Kingdome, but an Hereditary Kingdome, for neer theſe thouſand yeares: Therefore let Me know by What lawfull Authority I am called hither?*

I doe ſtand more for the Liberty of My People then any here that come to be My pretended Iudges: and therefore let Me know by What *lawfull Authority, and I* Will *Anſwer, otherwiſe I* Will *not Anſwer.*

Braſh. *Sir, How really you have managed your truſt is known: your Way of Anſwer is to interrogate the* Court, Which *beſeemes not you in this condition; you have been told of it twice or thrice.*

King. *Here is Lieut.* Colonell Cobbet, *aske him, if he did not bring Me from the* Iſle *of* Wight *by force? I doe not come here as ſubmitting to the Court; I* Will *ſtand as much for the Priviledge of the Houſe of Commons, rightly underſtood, as any man here* Whatſoever; *I ſee no Houſe of Lords here that may conſtitute a Parliament, and (the King too) ſhould have been.* Is this the bringing the King to His Parliament? Is this the bringing an end to the Treaty on the publique Faith? *Let Me ſee a Lawfull Authority warranted by the Word of God, the Scriptures, or by the Conſtitutions of the Kingdome. I* Will *not betray My Truſt, nor the Liberties of the People; I am ſworne to keep the Peace by that duty I owe to God, and My Country; and I* Will *doe it to the laſt breath in My body. As it is a ſinne to* Withſtand *Lawfull Authority, ſo it is to ſubmit to a Tyrannicall, or any otherwiſe unlawfull Authority.*

Brutiſh. Bradſh. *The Court expects your finall Anſwer, and* Will *adjourne till Munday next; We are ſatisfied* With *our Authority that are your Iudges, and it is upon Gods Authority, and the Kingdomes; and that peace you ſpake of* Will *be kept in doing Iuſtice, and that's our preſent* Work. So the Court Adjourned, and the King was conducted back; They had ſo contrived it, that diverſe Schiſmaticall Souldiers, and Fellowes were placed round about the Court, to cry *Iuſtice, Iuſtice,* when the King was remanded, thinking all the reſt of the People would have bleated to the ſame tune, but they (almoſt all) cryed *God bleſſe Him,* and were (ſome of them) well cudgelled by the Souldiers for not ſaying their prayers handſomely after the mode of the Army; one barbarous Souldier (it is confidently reported) ſpat in the Kings Face as he bauled for *Iuſtice:* The King only ſaying, *My Saviour ſuffered more for my ſake,* wiped it off with His Handkerchief; yet the Court took no notice of this Affront, ſo farre was His Majeſty already fore-judged and condemned to Sufferings.

Note.

VVhether this were the firſt day, or afterwards, I know not.

Munday

Munday, *Ianuary* 22. The KING was brought again to His Tryall.

Jan. 22. The ſecond dayes Tryall of His Majeſty.

Solicitour *Cook. May it pleaſe your Lordſhip, I did at the laſt Court in behalf of the Commons of* England, *exhibite, and give in to this Court a Charge of High Treaſon, and other High Crimes againſt the Priſoner at the Bar: Whereof I do accuſe him in the name of the people of* England, *and the Charge was read unto Him, and his Anſwer required: My Lord, He was not then pleaſed to give an Anſwer, but inſtead of anſwering did diſpute the Authority of this High Court; My humble motion to this High Court in behalfe of the Kingdome of* England, *is, That the Priſoner may be directed to make a poſitive Anſwer either by Way of Confeſſion, or Negation: Which, if He ſhall refuſe to doe, That the matter of Charge may bee taken* pro Confeſſo, *and the Court may proceede according to Iuſtice.*

Bradſh. *Sir, you may remember at the laſt Court you were told the occaſion of your being brought hither, and you heard a Charge read againſt You, &c. You hear likewiſe What was prayed in behalfe of the People, That You ſhould give an Anſwer to that Charge: You were then pleaſed to make ſome Scruples concerning the Authority of this Court, and knew not by What Authority You were brought hither: You did diverſe times propound your Queſtions, and were as often Anſwered, That it was by Authority of the Commons of* England *Aſſembled in Parliament, that did think fit to call You to account for thoſe High and Capitall Miſdemeanours, wherewith You were then Charged. Since that the Court hath taken into conſideration What You then ſaid, they are fully ſatisfied With their own Authority, and they hold it fit You ſhould ſtand ſatisfied therewith too: And they do require that You do give a poſitive & particular Anſwer to this Charge exhibited againſt You; they expect you ſhould eyther confeſſe or deny. If you do deny, it is offered in the behalf of the Kingdome to be made good againſt You, Their Authority they doe avow to the Whole World, that the Whole Kingdome are to reſt ſatisfied therein, and You are to reſt ſatisfied in it; and therefore You are to give a Poſitive Anſwer.*

VVithout any Law, Preſident, rationall debate, or Arguments to prove it: Oh bruttiſh Tyranny!

King. *When I was here laſt, its true, I made that Queſtion; and truly, if it were onely my owne particular caſe, I would have ſatisfied My ſelfe With the Proteſtation I made here the laſt time, againſt the*

Legality of this Court, and that a King cannot be Tryed by any Superiour Iurisdiction upon Earth: but it is not My case alone, it is the Freedome, and the Liberties of the People of England, *and (doe you pretend what you will) I stand more for their Liberties; for if Power without Law may make Lawes, nay, alter the Fundamentall Lawes of the Kingdome, I doe not know what Sulject he is in* England *that can be sure of his Life, or any thing that he calls his owne. Therefore, when I came hither, I did expect particular Reasons to know by what Law, what Authority, you proceed against Me here? and therefore I am a little to seek what to say to you in this Particular, because the Affirmative is to be proved, the Negative (often) is very hard to doe. I shall tell you my Reasons as short as I can. All proceedings against any man whatsoever——*

False. Bradsh. *Sir, I must interrupt You; what You doe is not agreeable to the proceedings of any Court of Iustice: You are about to enter into Argument and Dispute concerning the Authority of this Court, before whom You appear as a Prisonner, and are Charged as a High Delinquent; You may not Dispute the Authority of this Court, nor will any Court give way unto it, You are to submit to it, &c.*

King. *Under favour; I doe Plead for the Liberty of the People of* England *more then you do; and therefore, if I should impose a beleefe upon any Man without Reasons given, it were unreasonable——*

Oh Brutish Asinine Kingdome, to be Governed by an up-start Authority without use of Reason. Bradsh. *Sir I must interrupt You: You may not be permitted, You speak of Law and Reason, and there is both against You. Sir, The Vote of the Commons of* England *Assembled in Parliament, is the reason of the Kingdome, and they are those that have given You that Law, according to which you should have Ruled and Raigned: Sir, It will be taken notice of, that you stand in contempt of the Court, and Your contempt will be recorded accordingly.*

King. *I doe not know how a King can be a Delinquent, but by all Lawes that ever I heard, all men may put in Demurrers against any proceedings as Illegall: and I doe demand that, if you deny that, you deny Reason.*

Overrule a Demurrer without Argument: If a man may not Demurre to the Iurisdiction of any Court, that Court may enlarge its bounds, and become a Corporation of Tyrants. Bradsh. *Sir, Neither You, nor any Man are permitted to Dispute*

that

that Point, You are concluded; You may not demurre to the Iurisdiction of the Court, if You doe, I must let You know, that they overrule Your demurrer, they sit here by the Authority of the Commons of England; *and all Your Predecessours and You, are responsible to them.*

King. *I deny that, shew Me one President.*

Bradsh. *Sir, You ought not to interrupt while the Court is speaking to you: this point is not to be debated by you, if you offer it by way of Demurrer, to the Iurisdiction of the* Court, *they have considered of their Iurisdiction, they doe affirme their owne Iurisdiction.*

King. *I say Sir, by your favour, That the* Commons *of* England *were never a* Court *of Iudicature: I would know how they came to be so?*

Bradsh. *Sir, you are not to be permitted to go on in that Speech, and these discourses.*

Then the Clerke of the Court read, as followeth:

Charles Stuart, *King of* England, *you have been accused in the behalfe of the People of* England, *of High Treason, and other high Crimes, the Court hath determined that you ought to answer the same.*

King. *I will Answer the same so soone as I know by what Authority you doe this?*

Bradsh. *If this be all that you will say, then Gentlemen, you that brought the Prisoner hither, take charge of Him back again.*

King. *I doe require that I may give My Reasons why I did not Answer, and give Me time for that.*

Bradsh. *Sir, 'Tis not for Prisoners to require.*

King. *Prisoners! Sir, I am not an ordinary Prisoner.*

Bradsh. *The* Court *have affirmed their Iurisdiction, if You will not Answer, We shall give order to Record your default.*

King. *You never heard my Reasons yet.*

Bradsh. *Sir, Your Reasons are not be heard against the highest Iurisdiction.*

King. *Shew Me that Iurisdiction where Reason is not to be heard?*

Reasons are not to be heard against a remaining faction of the Commons of *England.*

Bradsh. *Sir, We shew it you here, the* Commons *of* England, *and the next time you are brought, You will know more of the pleasures of* Court, *and it may be, their finall Determination.*

King.

King. *Shew Me where ever the Houſe of Commons was a Court of Iudicature of that kind.*

Bradſh: *Sergeant, take away the Priſoner.*

King. *Well Sir, Remember that the King is not ſuffered to give in His Reaſons, for the liberty and freedome of all His Subjects.*

Bradſh: *Sir, You are not to have liberty to uſe this language, how great a Friend You have been to the Lawes and Liberties of the People, let all* England *and the World judge.*

King. *Sir, under favour, it was the Liberty, Freedome, and Laws of the Subject that ever I tooke —— defended My ſelfe with Armes, I never tooke up Armes againſt the People, but for the* Lawes.

Bradſh: *The command of the Court muſt be obeyed, no Anſwer will be given to the Charge.*

So the King was guarded forth to Sir *Robert Cottons*, and the Court adjourned to the Painted-Chamber, Tueſday twelve a Clock.

82. The 3d daies Triall of His Majeſty.

Tueſday, *Ianuarij* 23. The Court ſate againe, ſeventy three Commiſſioners preſent.

The King brought into the Court, ſits downe.

Solicit: Cooke. *May it pleaſe your Lordſhip my Lord Preſident, This is now the third time that by the great grace and favour of the Court, the Priſoner hath been brought to the Barre, before any Iſſue joyned in this Caſe. My* Lord, *I did at the firſt Court exhibite a Charge againſt Him, containing the higheſt Treaſon that ever was wrought on the Theater of* England, That a King of *England* truſted to keep the Law, that had taken an Oath ſo to doe, that had Tribute payed Him for that end, ſhould be guilty of a wicked Deſigne to ſubvert and deſtroy our Lawes, and introduce an Arbitrary and Tyrannicall Government in defiance of the Parliament and their Authority; ſet up His Standard for Warre, againſt his Parliament and People: *and I did humbly pray in behalfe of the People of* England, That He may ſpeedily be required to make an Anſwer to the Charge; *but, my Lord, in ſtead of making any Anſwer, He did then diſpute the Authority of this High Court; your Lordſhip was pleaſed to give Him a further day to put in His Anſwer, which day being yeſterday; I did humbly move*, That He might be required to give a direct and poſitive Anſwer, either by denying, or confeſſing of it; *But, my Lord, He was then pleaſed*,

ſed to demur to the Iuriſdiction of the Court, which the Court did then overrule, and command Him to give a direct and poſitive Anſwer: My Lord, beſides this great delay of Iuſtice, I ſhall now humbly move your Lordſhip for ſpeedy Iudgement againſt Him; I might preſſe your Lordſhip upon the whole, That according to the knowne rules of the Lawes of the Land, that if a Priſoner ſhall ſtand contumacious in contempt, and ſhall not put in an Iſſuable Plea, guilty or not guilty of the Charge given againſt him, whereby he may come to a faire Triall, that by an implicite Confeſſion it may be taken, pro confeſſo; *as it hath been done to thoſe who have deſerved more favour, than the Priſoner at the Barre hath done. But beſides, my Lord, I ſhall humbly preſſe your Lordſhip upon the whole fact, That the Houſe of Commons, the Supreme Authority and Iuriſdiction of the Kingdome, they have declared,* That it is notorious that the matter of the Charge is true; *as it is in truth my Lord, as cleare as cryſtall, and as the Sun that ſhines at noon-day: which if your Lordſhip and the Court be not ſatisfied in, I have notwithſtanding on the Peoples behalfe, ſeverall Witneſſes to produce; and therefore I doe humbly pray, (and yet I doe confeſſe, it is not ſo much I, as the Innocent bloud that hath been ſhed: (the cry whereof is very great) for Iuſtice and Iudgement) and therefore I doe humbly pray, that ſpeedy Iudgment be pronounced againſt the Priſoner at the Barre.*

You ſee the remnant of the Ho: of Comm. had fore judged the King before they erected this new Court to ſentence Him; and claime a Juriſdiction, as well as a Supreme Authority.

Bradſhaw. *Sir, You have heard what is moved by the Councell on behalfe of the Kingdome againſt you; you were told over and over againe,* That it was not for you, nor any other man to diſpute the Juriſdiction of the Supreme and higheſt Authority of *England*, frō which there is no appeal, & touching which there muſt be no diſpute; *yet you did perſiſt in ſuch cariage as you gave no manner of obedience, nor did you acknowledge any Authority in them; nor the high Court that conſtituted this high Court of Iuſtice. Sir, I muſt let you know from the Court, that* they are very ſenſible of theſe delaies of Yours, and that they ought not (being thus Authorized by the Supreme Court of *England*) be thus trifled withall, & that they might in Juſtice, and according to the rules of Juſtice, take advantage of theſe delayes, & proceed to pronounce Judgement againſt you, *yet nevertheleſſe they are pleaſed to give direction, and on their behalfe, I doe require you,* That You make a poſitive Anſwer unto this Charge that is againſt you, in plaine Tearmes (*for*

Iuſtice knowes no reſpect of Perſons) you are to give your poſitive and finall Anſwer in plaine Engliſh, whether you be guilty or not guilty of theſe Treaſons laid to your charge.

King. *When I was here Yeſterday, I did deſire* to ſpeake for the Liberties of the People of *England*, I was interrupted; *I deſire to know yet*, whether I may ſpeak freely, or not?

Brad. *Sir, You have had the reſolution of the Court, upon the like Queſtion the laſt day, and you were told*, that having ſuch a Charge of ſo high a nature againſt you, Your work was, that you ought to acknowledge the Juriſdiction of the Court, & to anſwer to your Charge; *When you have once Anſwered, you ſhall be heard at large, make the beſt defence You can: But Sir, I muſt let You know from the Court, (as their Commands)* That You are not to be permitted to Iſſue out into any other diſcourſes till ſuch time as You have given a poſitive Anſwer cõcerning the matter charg'd upon you.

King. *For the Charge I value it not a Ruſh*, it is the Liberty of the People of England *that I ſtand for; for Me to* acknowledge a new Court *that I never heard of before, I that am your* KING, *that ſhould be an* example *to all the People of* England, *to* uphold Juſtice, to maintaine the old Lawes, *Indeed, I doe not know how to doe it: you ſpoke well the firſt day that I came here, (on Saturday)* of the Obligations that I had laid upon Me by God, to the maintenance of the Liberties of My People, *the ſame Obligation you ſpake of*, I doe acknowledge to God, that I owe to him, and to My People, to defend as much as in Me lies, the antient Laws of the Kingdome; *therefore untill that I may know, that* this is not againſt the fundamentall Lawes of the Kingdome, *I can put in no particular Anſwer, if you will give Me time I will ſhew you My Reaſons, and this* ——— here being interrupted, the King ſaid again, *By your favour, you ought not to interrupt Me, How I came here I know not; there's no Law for it* to make your King your Priſoner; *I was in a Treaty upon the publique Faith of the Kingdom, that was the known* —— *two Houſes of Parliament, that was the Repreſentative of the Kingdome, and when I had almoſt made an end of the Treaty, then I was hurried away & brought hither, & therfore* ——

VVhether theſe breaches and interruptions vvhere made by *Bradſhavv*, or vvhether they are omiſſions and expunctions of ſome materiall parts of the King's Speech vvhich this licenced Pen-man durſt not ſet dovvne; I knovv not: I heare much of the King's Argument is omitted, and much depraved, none but Licenced-men being ſuffered to take Notes.

Bradſh.

Bradſh. *Sir, You muſt know the pleaſure of the Court.*

King. *By your favour Sir* ———

Bradſh. *Nay Sir, By your favour, You may not be permitted to fall into theſe Diſcourſes; You appear as a Delinquent, You have not acknowledged the Authority of the Court, the Court craves it not of You, but once more they command You to give your poſitive Anſwer. Clercke doe your Duty.*

King. *Duty Sir!*

The Clercke reades.

Charles Stuart, *King of* England, *You are accuſed in behalfe of the Commons of* England *of diverſe High Crimes and Treaſons; which Charge hath been Read unto You, The Court now requires You to give Your poſitive and finall Anſwer, by way of Confeſſion, or deniall of the Charge.*

King. *Sir, I ſay againe to you, ſo that I may give ſatisfaction to the People of* England, *of the clearneſſe of My proceedings, not by way of Anſwer, not in this way, but to ſatisfie them that I have done nothing againſt that Truſt that hath beene committed to Mee, I would doe it; but to acknowledge a New Court againſt their Priviledges, to alter the Fundamentall Lawes of the Kingdome, Sir, you muſt excuſe Me.*

Brad. *Sir, This is the third time that You have publiquely diſavowed this Court, and put an Affront upon it: how far You have preſerved the Priviledges of the People, Your Actions have ſpoken; but truly Sir, mens intentions ought to be known by their Actions, you have written Your meaning in bloudy Characters throughout the Whole Kingdome, but Sir, you underſtand the pleaſure of the Court; Clarke Record the default; and Gentlemen, you that tooke Charge of the Priſoner take Him back againe.* So the King went forth with His Guardes, and the Court Adjourned to the Painted Chamber; the Cryer (as at other times) crying, *God bleſſe the Kingdome of England.*

83. The fourth & laſt dayes Triall of His Majeſty.

Saturday, 27 *Ian.* 1648. The Court ſate again in *Weſtminſter-hall*, the Preſident was in his Scarlet Robes, after him 67 Comiſſioners anſwered to their Names; The King came in, in His

wonted poſture with his Hat on, a Company of Souldiers and Schiſmaticks placed about the Court to cry for *Iuſtice, Iudgement*, and *Execution*, The People not daring to cry *God bleſſe Him*, for fear of being againe beaten by the Souldiers.

Bradſh. *Gentlemen, it is Well knowne to all, or moſt of you here preſent, that the Priſoner at the Barre hath been ſeverall times convented, and brought before this Court, to make Anſwer to a Charge of High Treaſon, and other High Crimes exhibited againſt Him, in the Name of the People of* England; *to Which Charge being required to Anſwer, He hath been ſo farre from obeying the Commands of the Court, by ſubmitting to their Iuſtice, as He began to take upon Him Reaſoning and Debate unto the Authority of the Court, And to the Higheſt Court that appointed them to Trie and to Iudge Him; but being over-ruled in that, and required to make His Anſwer, He ſtill continued Contumacious, and refuſed to ſubmit to Anſwer. Hereupon the Court (that they may not be Wanting to themſelves, nor the Truſt repoſed in them, nor that any mans Wilfulneſſe prevent Iuſtice) they have conſidered of the Charge, of the contumacy, and of that Confeſſion Which in Law doth ariſe on that Contumacy; they have likewiſe conſidered the notiority of the Fact Charged upon this Priſoner; and upon the Whole matter, they are reſolved, and have agreed upon a Sentence to be pronounced againſt this Priſoner, but in reſpect He doth deſire to be heard before the Sentence be Read, and Pronounced, the Court hath reſolved to hear Him; yet Sir, thus much I muſt tell You beforehand, (Which you have beene minded of at other Courts) that if that Which You have to ſay, be to offer any debate concerning the Iuriſdiction, You are not to be heard in it: You have offered it formerly, and you have ſtrook at the root,* that is, *the Power and ſupreme Authority of the Commons of* England, *Which this Court Will not admit a Debate of: and Which indeed is an irrationall thing in them to doe, being a Court that act upon Authority derived from them. But Sir, if you have any thing to ſay in defence of Your ſelf concerning the matter charged, the Court hath given me in Commands to heare You.*

King. *Since I ſee that You Will not heare any thing of debate concerning that Which I confeſſe I thought moſt materiall, for the peace of the Kingdome, and for the liberty of the Subject, I ſhall Have it; but only I muſt tell you, that this many a day all things have been taken*

away

away from Me, but that, that I call dearer to Me than My life, Which is My Conſcientie and Mine honour; and if I had a reſpect of my life, more than the peace of the Kingdome, and the liberty of the Subject, certainly I ſhould have made a particular defence for My life, for by that at leaſtwiſe, I might have delayed an ugly Sentence, Which I believe will paſſe upon Me, therefore certainly Sir, as a man that hath ſome underſtanding, ſome knowledge of the World (if that my true zeale to My Country had not overborne the care that I have for My owne preſervation) I ſhould have gone another Way to Worke than that I have done: Now Sir, I conceive that a haſty Sentence once paſſed may ſooner be repented of than recalled; and truely, the ſelf-ſame deſire that I have for the peace of the Kingdome and the liberty of the Subject, more than My owne particular ends, makes Me now at laſt deſire, that I having ſomething to ſay that concerns both, I deſire, before Sentence be given, that I may be heard in the Painted Chamber *before the Lords and Commons, this delay cannot be prejudiciall to you, Whatſoever I ſay, if that I ſay no reaſon thoſe that heare Me muſt be Iudges, I cannot be Iudge of that that I have: if it be reaſon, and really for the Welfare of the Kingdome, and the liberty of the Subject, I am ſure its very Well Worth the hearing, therefore I doe conjure you, as you love that Which you pretend (I hope its reall) the Liberty of the Subject, and peace of the Kingdome, that you Will grant Me this hearing before any Sentence paſſed; but if I cannot get this liberty, I doe proteſt that your faire ſhewes of Liberty and Peace are pure ſhewes, and that you Will not heare your King.*

The Preſident ſaid, *This Was a declining the Iuriſdiction of the Court, and a delay:* Yet the Court vvithdrevv for half an hovver, adviſed upon it, and ſate againe.

Bradſhaw ſaid to the King, *That the Court had conſidered What He had moved, and of their owne Authority; the returne from the Court is this,* That they have been too much delayed by You already, and they are Judges appointed by the higheſt Authority, and Judges are no more to delay, than they are to deny juſtice; and notvvithſtanding vvhat You have offered, they are reſolved to proceed to Sentence, and to Judgement, that is their unanimous reſolution.

The King preſſed againe & againe, that He might be heard by

the Lords and Commons in the *Painted Chamber*, with great earneſtneſſe, and was as often denied by *Bradſhaw*: at laſt, the King deſired that this Motion of His might be entered.

Bradſhaw began in a long Speech to declare the Grounds of the Sentence, much aggravating the Kings offences, and miſapplying both Law and Hiſtory to his preſent purpoſe: When *Bradſhaw* had done ſpeaking, the Clerk read the Sentence drawn up in Parchment to this effect:

84. The Sentence againſt His Majeſty.

THat whereas the Commons of England *in Parliament had appointed them an high Court of Juſtice for the Trial of* Charls Stuart *King of* England, *before Whom He had been three times Convented; and at the firſt time a Charge of High Treaſon and other high crimes and miſdemeanors was read in behalfe of the Kingdome of* England, *&c.* * *Which Charge being read unto Him as aforeſaid, He the ſaid* Charls Stuart *was required to give His Anſwer; but He refuſed ſo to doe: and ſo expreſſed the ſeverall paſſages at His Tryall in refuſing to Anſwer. For all Which Treaſons and crimes this Court doth adjudge, That He the ſaid* Charles Stuart *as a Tyrant, Traytour, Murtherer, and a publique Enemy ſhall be put to Death by ſevering of His Head from His Body.*

* Here the Clerk read the aforeſaid Charge.

After the Sentence read, the Preſident ſaid, *This Sentence now read and publiſhed, it is the Act, Sentence, Judgement, and reſolution of the Whole Court*; Here the whole Court ſtood up, as aſſenting to what the Preſident ſaid.

King. *Will you heare Me a Word Sir?*

Bradſhaw. *Sir, You are not to be heard after the Sentence.*

King. *No Sir!*

Bradſhaw. *No. Sir, by your favour Sir! Guard, withdraw your Priſoner.*

King. *I am not ſuffered to ſpeak: expect What Juſtice other people will have.*

Theſe

These are the Names of such Persons as did actually sit as Judges upon the Tryall of His Majesty, with the Councel and Attendants of the Court.

Oliver Cromwel, Lieu. Generall.
Com. Gen. *Ireton.*
Major Gen. *Skippon.*
Sir *Hardresse Waller.*
Colonel *Thomas Harrison.*
Col. *Edward Whalley.*
Col. *Thomas Pride.*
Col. *Isaac Ewer.*
Col. *Rich: Ingolsby.*
Sir *Henry Mildmay.*
Thomas, Lord *Grey.*
Philip, Lord *Lisle.*
Will: Lord *Munson.*
Sir *John Danvers.*
Sir *Tho: Maleverer.*
Sir *John Bowcher.*
Sir *James Harrington.*
Sir *William Brereton.*
Will: Hennigham Esq.
Isaac Pennington Ald:
Thomas Atkins, Ald:
Col. *Rowland Wilson.*
Sir *Peter Wentworth.*
Col. *Henry Martyn.*
Col. *William Turefoy.*
Col. *Godfrey Bosvill.*
Colonel *John Berkstead.*
Sir *Will: Cunstable.*
Col. *Edward Ludlow.*
Col. *Jo: Hutchinson.*
Col. *Rob: Titchburne.*
Col. *Owen Roe.*
Col. *Adriaen Scroop.*
Col. *John Oky.*
Col. *John Harrison.*
Col. *John Desborough.*
Cornelius Holland, Esq.
Miles Corbet, Esq.
Francis Allen, Esq.
Teregrin Pelham, Esq.
John Gourdon, Esq.
Serj. *Francis Thorp.*
Tho: Challoner, Esq.
Col. *John Moore.*
John Aldred, Esq.
Col. *Francis Lassels.*
Henry Smith, Esq.
James Chaloner, Esq.
Dennes Bond, Esq.
Humph: Edwards Esq.
Gregory Clement, Esq.
John Fray, Esq.
Tho: Wogan, Esq.
Sir *Greg: Norton.*
Serj. *John Bradshaw.*
Col. *Edm: Harvey.*
John Dove Esq.
Col. *John Venn.*
John Foulks, Alder:
Thomas Scot.
Tho: Andrewes, Ald:
William Cawley, Esq.
Col. *Anthony Stapley.*
John Lisle, Esq.
John Corbet, Esq.
Thomas Blunt, Esq.
Thomas Boone, Esq.
Col. *George Fleetwood.*
Col. *James Temple*,
Sir *Peter Temple.*
Col. *Thomas Wayte.*
John Browne, Esq.
Mr. *Bradshaw*, nominated President.

Counsellours assistant to this Court, and to draw up the Charge against the KING, are.

Doctor *Dorislaus.*
Master *Aske.*
Master *Cooke.*
Serjeant *Dandy*, Serjeant at Armes.

Mr. *Phileps*, Clerke to the Court.

Messengers, and Doorekeepers, are, Master *Walford.* M. *Radley*, Mr. *Laine*, Mr. *Powell.* Mr. *Hull*, and M. *King* Cryer.

This

85. Observations upon the Tryall of His Majesty.

This is a Relation of his Majesties Tryall by a mixed Court of Justice erected by 50. or 60. Confederate Members of the House of Commons, sitting under the power of the Army, after all the rest of the Members above 250. had been violently secured, secluded, & frighted away: And in order to this designe against the King, the House of Peers voted downe, and yet the House of Commons (when intire) is no Court of Judicature, nor can give an Oath. Had indifferent men been permitted to take Notes, you had had a more perfect narrative; yet as it is, truth shines forth to the confusion of this bloudy, cheating, tyrannicall faction: could they have wrought the King to have submitted to the Jurisdiction of this Arbitrary Court, His example should have been urged as an irrefragable Precedent against the lives and liberties of the whole Kingdome, and urged to be of as great Authority, as if He had establish'd that Court by Act of Parliament: So that the King is to be looked on as a Civill Martyr dying for the Liberty of the People. And although they have failed of this device, yet they will have some other Arbitrary bloudy Inquisition to cut off the lives (without Law) of such as they desire to remove, without which this Tyrannous Kingdome of the Saints, or Brambles, cannot subsist; And therefore on Thursday, 2. *Februarij*, *Cromwell* and *Ireton*, and their Canniball Counsell of Officers projected to get an Act passed by their House of Commons (where all their Requests, are Commands) to enable the said Councell to hang all such as they shall adjudge Disturbers of the Army, although no Members of the Army: they must have publique Slaughter-houses *in terrorem*, as well as private *ad pœnam*, the nature of their Cause, and their naturall conditions requiring it. *Oliver* is a Bird of prey, you may know by his Bloudy Beake; so was his *Prodromus* that Type and figure of him, *John of Leyden*; than whom, this Fellow will shortly prove farre more bloudy: you see this schismaticall remnant of one House, have the impudence to usurp the Supreme Authority to themselves: And then to tell you, that the Votes of this petty Conventicle (calling themselves the Commons) are the Law, nay the Reason of the Land, thereby devesting us of those Lawes which shall distinguish us from Slaves, & denying us the use of our reason, whereby we are differenced from Beasts, and

2. Part of *Englands* lyberty in Chaines, *sub fine*: And the Hunting of the Foxes, &c.

expecting

expecting an implicite faith & blind obedience from us, to all the Votes of this half quarter of a Houſe of Commons, ſo farre that they Vote obedience to the knowne Lawes (in many caſes) to be Treaſon; & vvhat all our Lavves call Treaſon, they Vote no Treaſon: nay, ſhould they vote a Turd to be a Roſe, or *Oliver's* Noſe a Ruby, they vvould expect vve ſhould ſvveare it, and fight for it. This legiſlative Den of Thieves erect new Courts of Juſtice, neither founded upon Lavv nor preſcription, Theaters of illegall tyranny and oppreſſion, to take avvay mens lives Arbitrarily, for actions vvhich no Lavv makes criminous, nay, for ſuch acts as the Lavves command, vvhere their proceedings are contrary to *Magna Charta*, and all our knovvne Lavves and uſages, not *per probos & legales homines*, no Juries, no ſvvorne Judges, authentically choſen, no Witneſſes face to face, no formall Indictment in vvhich a man may find errour and plead to the juriſdiction of the Court, or vvhere the Court ought to be of Councell vvith the Priſoner: but the ſame engaged and vovved Enemies are both Parties, Proſecutors, Witneſſes, Judges (or Authorizers and Nominators of the Judges) Actors of all parts upon that ſtage of Bloud.

The King preſſed earneſtly (eſpecially upon Monday, 22. *Ian.*) to have His Reaſons againſt the Iuriſdiction of the Court heard, but vvas as often denied, He intended then to give them in vvriting, vvhich vvas likevviſe rejected: ſo they vvere ſent to the preſſe. A true Copie whereof followes:

His Majeſties Reaſons againſt the pretended Juriſdiction of the High Court of Juſtice, which He intended to deliver in Writing on Monday, Jan. 22. 1648.

Faithfully tranſcribed out of the Originall Copie under the Kings owne Hand.

86. His Majeſties Reaſons againſt the Iuriſdiction of the high Court of Iuſtice; publiſhed after His condemnation.

HAving already made my Proteſtations not only againſt the illegality of this pretended Court, but alſo that no earthly power can juſtly call Me (who am your *King*) in queſtion as a Delinquent, I would not any more open My mouth upon this occaſion, more then to referre My ſelfe to what I have ſpoken, vvere I alone in this caſe concerned. But the duty I ovve to God in the

preſervation of the true Liberty of My People, will not ſuffer Me at this time to be ſilent: For, how can any free-borne Subject of *England* call life or any thing he poſſeſſeth his owne, if power without right daily make new, & abrogate the old fundamentall Law of the Land, which I now take to bee the preſent caſe. Wherefore when I came hither, I expected that you would have indevoured to have ſatisfied Me concerning theſe grounds, which hinder Me to Anſwer to your pretended Impeachment; but ſince I ſee that nothing I can ſay will move you to it (though Negatives are not ſo naturally proved as Affirmatives) yet I will ſhew you the Reaſon why I am confident you cannot judge Me, nor indeed the meaneſt man in *England*; for I will not (like you) without ſhewing a reaſon, ſeek to impoſe a beliefe upon My Subjects.

* Hereabout I was ſtopt, and not ſuffered to ſpeak any more cōcerning Reaſons.

*There is no proceeding juſt againſt any man, but what is warranted either by Gods Lawes, or the municipall Lawes of the Country where he lives. Now I am moſt confident, that this daies proceeding cannot be warranted by Gods Law, for on the contrary the authority of obedience unto Kings is clearly warranted and ſtrictly commanded both in the Old and New Teſtament; which if denied, I am ready inſtantly to prove: and for the queſtion now in hand, there it is ſaid, That *Where the Word of a King is, there is Power; and Who may ſay unto him, What doeſt thou? Eccleſ.* 8. 4. Then for the Lawes of the Land, I am no leſſe confident, that no learned Lawyer will affirme that an Impeachment can lie againſt the KING, they all going in His name; and one of their Maxims is, *That the King can doe no Wrong.* Beſides, the Law upon which you ground your proceedings, muſt either be old or new; if old, ſhew it; if new, tell what authority warranted by the fundamentall Lawes of the Land hath made it, and when. But how the Houſe of Commons can erect a Court of Judicature, which was never one it ſelfe (as is well known to all Lawyers) I leave to God and the World to judge; And it were full as ſtrange that they ſhould pretend to make Lawes without King or Lords Houſe, to any that have heard ſpeak of the Lawes of *England*.

And admitting, but not granting, that the People of *England* Commiſſion could grant your pretended power, I ſee nothing

you

you can ſhew for that; for certainly you never asked the queſtion of the tenth man of the Kingdome, and in this way you manifeſtly wrong even the pooreſt Plough-man, if you demand not his free conſent; nor can you pretend any colour for this your pretended Commiſſion without the conſent at leaſt of the major part of every man in *England*, of whatſoever quality or condition, which I am ſure, you never went about to ſeek, ſo farre are you from having it. Thus you ſee that I ſpeake not for My owne right alone, as I am your King, but alſo for the true Liberty of all My Subjects, which conſiſts not in ſharing the power of Government, but in living under ſuch Lawes, ſuch a Government as may give themſelves the beſt aſſurance of their lives and propriety of their goods. Nor in this muſt or doe I forget the Priviledges of both Houſes of Parliament, which this daies proceedings doth not onely violate, but likewiſe occaſion the greateſt breach of their Publike Faith (I believe) ever was heard of, with which I am farre from charging the two Houſes: for all the pretended Crimes laid againſt Me, beare date long before this late Treaty at *Newport*, in which I having concluded as much as in Me lay, and hopefully expecting the two Houſes agreement thereunto, I was ſuddenly ſurpriſed, and hurried from thence as a Priſoner, upon which accompt I am againſt My will brought hither, where ſince I am come, I cannot but to My power defend the ancient Laws and Liberties of this Kingdome, together with My owne juſt Right, then for any thing I can ſee the higher Houſe is totally excluded.

And for the Houſe of Commons, it is too well knowne that the major part of them are detained or deterr'd from ſitting, ſo as if I had no other, this were ſufficient for Me to proteſt againſt the lawfulneſſe of your pretended Court.

Beſides all this, the peace of the Kingdome is not the leaſt in My thoughts, and what hopes of ſetlement is there ſo long as power reigns without rule of Law, changing the whole frame of that Government under which this Kingdom hath flouriſhed for many hundred years, (nor will I ſay what will fall out in caſe this lawleſſe unjuſt proceeding againſt Me doe go on) & believe it the Commons of *England* will not thank you for this change, for they will remember how happy they have bin of late yeares

under the Reigne of Queen *Elizabeth*, the King my Father, and My ſelfe, untill the beginning of theſe unhappy troubles, and will have cauſe to doubt that they ſhall never be ſo happy under any new. And by this time it will be too ſenſibly evident, that the Armes I took up were onely to defend the fundamentall Lawes of this Kingdome, againſt thoſe who have ſuppoſed My power hath totally changed the ancient Government.

Thus having ſhewed you briefly the Reaſons, why I cannot ſubmit to your pretended Authority without violating the truſt which I have from God, for the welfare and liberty of My People; I expect from you either cleare Reaſons to convince My Judgement, ſhewing Me that I am in an errour (and then truely I will readily anſwer) or that you will withdraw your proceedings.

This I intended to ſpeake in *Weſtminſter-hall* on Munday, 22. *Ianuary*, but againſt reaſon was hindered to ſhew My Reaſons.

87. Alteration of the formes and ſtyles of VVrits and Legall proceedings.

The 27. *Ian.* The Commons read the Act for Altering the formes of Writs, and other procedings in Courts of Iuſtice, which (according to all our knowne Lavvs, the cuſtome of all Ages, and the fundamentall Government of this Kingdome) ever ran in the King's Name. This Act upon the Queſtion vvas aſſented to, and no concurrence of the Lords deſired, of this more hereafter.

88. A Proclam. to be brought in, prohibiting the Pr: of *VVales*, or any of the Kings Iſſue to be proclaimed King of *England*.

The Iunto of 50. or 60. Commons appointed a Committee to pen a Proclamation, That if any man ſhould go about to Proclaime Prince *Charles*, or any of that line King of *England* (after the removall of King *Charles* the Father out of this life) as is uſually, & ought to be done by all Mayors, Bayliffs of Corporations, High Sheriffs, &c. under high penalties of the Law for their neglect) or ſhall proclaime any other vvithout the conſent of the preſent Parliament: the Commons declare it to be High Treaſon; and that no man under paine of Impriſonment or ſuch other (arbitrary) puniſhment, as ſhall be thought fit to be inflicted on them, ſhall ſpeake or preach any thing contrary to the preſent proceedings of the Supreme Authority of this Nation, the Commons of *England* aſſembled in Parliament. Your hands & feet,

feet, liberties and conſciences vvere long ſince tied up, novv you are tongue-tied.

89. The Biſhop of *London* appointed by the Ho: to adminiſter ſpirituall comfort to the condemned King; and the Kings uſage by the Anny. See Mr. *Io: Goree's* Book againſt *Goodvvin*, called, *(Mighi overcomming right.)* And Mr. *Pryn's* Epiſtle to his Speech. 6. *Dec.* 1648.

Upon motion, the Houſe ordered, That Doctor *Iuxon* Biſhop of *London*, ſhould be permitted to be private vvith the King in His Chamber, to preach and adminiſter the Sacraments, and other ſpirituall comforts to Him: But notwithſtanding, their Maſters of the Councell of Warre, apointed that vveather-cocke *Iohn Goodwin* of *Coleman-ſtreet* (the *Balaam* of the Army that curſeth and bleſſeth for Hire) to be Superintendent both over King and Biſhop, ſo that they could hardly ſpeak a word together without being over-heard by the long-ſchiſmaticall-eares of black-mouthed *Iohn:* Beſides, I heare that for ſome nights a Guard of Souldiers was kept within His Chamber, who with talking, clinking of pots, opening and ſhutting of the dore, and taking Tobacco there (a thing very offenſive to the Kings nature) ſhould keep Him watching, that ſo by diſtempering & amazing Him, with want of ſleep, they might the eaſier bring Him to their bent.

90. A Paper-booke of Demands tendered to be Subſcribed by the King the Sunday before He died. See ſect. 94.

28. *Ianuary*, being the laſt Sabbath the King kept in this life, ſome of the Grandees of the Army and Parliament tendered to the King a Paper-booke, with promiſe of Life & ſome ſhadow of Regality (as I heare) if He Subſcribed it: It contained many particulars deſtructive to the fundamentall Government, Religion, Lawes, Liberties, & Property of the People: One whereof was inſtanced to Me, *viz.* That the KING ſhould (amongſt many other demands) paſſe an Act of Parliament for keeping on foot the *Militia* of this Army during the pleaſure of the Grandees, who ſhould be truſted with that *Militia*, and with power from time to time to recruit and continue them to the number of 40000. Horſe and Foot, under the ſame Generall and Officers, with power notwithſtanding in the Councell of Warre to chuſe new Officers and Generals from time to time as occaſion ſhall happen, and they thinke fit; and to ſettle a very great Tax upon the People by a Land Rate, for an eſtabliſhed pay for the Army; to be collected and leavied by the Army themſelves, and a Court Martiall of an exorbitant extent and latitude. His Majeſty (as I heare) read ſome few of the Propoſitions, & throwing thē aſide told them, He would rather become a ſacrifice for

His People, then betray their Lawes and Liberties, Lives and Eſtates, together with the Church and Common-wealth, and the Honour of His Crowne, to ſo intollerable a Bondage of an Armed faction.

91. The Stile and Title of *Cuſtodes libertatis Angliæ*, voted to be uſed in legall proceedings, inſtead of the ſtyle of the *King*. Theſe Goulers of the Liberties of *England* are *Individuum vagum*, not yet named. See a Continuation of this madneſſe in an Act for better ſetling proceedings in Courts of Iuſtice, according to the preſent Government, Dated 17. *Feb.* 1648.

Monday, 29. *Ianu.* 1648. The legiſlative half-quarter of the Houſe of Commons, voted as followeth, (hearken with admiration Gentlemen) be it enacted by this preſent Parliament, and by Authority of the ſame, that in all Courts of Law, Juſtice, & equity, and in all Writs, Grants, Patents, Commiſſions, Indictments, Informations, Suits, Returnes of Writs, and in all Fines, Recoveries, Exemplifications, Recognizances, Proceſſe, & proceedings of Law, Juſtice, or Equity within the Kingdoms of *England* or *Ireland*, Dominion of *Wales*, &c. inſtead of the Name, Stile, Teſte, or Title of the KING heretofore uſed, that from henceforth the Name, Stile, Teſt or Title *Cuſtodes libertatis Angliæ, authoritate Parliamenti*, ſhall be uſed, and no other; and the Date of the yeare of the Lord, and none other; and that all Duties, Profits, Penalties, Fines, Amerciaments, Iſſues, and Forfeitures whatſoever, which heretofore were ſued for in the name of the KING, ſhall from henceforth be ſued for in the name of *Cuſtodes libertatis Angliæ, authoritate Parliamenti*: and where the words were (*Iuratores pro Domino Rege*) they ſhall be (*Iuratores pro Republica*) and where the words are (*contra pacem, dignitatem & coronam noſtram*) the words from henceforth ſhall be (*contra pacem Publicam.*) All Judges, Juſtices, Miniſters, & Officers, are to take notice thereof, &c. and whatſoever henceforth ſhall be done contrary to this Act, ſhall be, and is hereby declared to be null and void; the death of the King, or any Law, uſage or cuſtome to the contrary notwithſtanding, &c.

92. Another device to mortifie the King.

The King lay in *White-hall* Saturday (the day of his Sentence) and Sunday night ſo neer the place appointed for the ſeparation of His Soule & Body, that He might heare every ſtroke the Worke-men gave upon the Scaffold (where they wrought all night) this is a new device to mortifie Him, but it would not doe.

93. Tueſday, 30. *Ian.* 1648. was the day appointed for the Kings Death; He came on Foot from Saint *Iames's* to *White-hall* that morning: His Majeſty coming upō the Scaffold, made a Speech

to

to the People; which could onely be heard by ſome few Souldiers and Schiſmaticks of the Faction who were ſuffered to poſſeſſe the Scaffold, and all parts neare it; and from their Pennes onely we have our informations.

❖ *His Majeſties Speech upon the Scaffold, and His Death, or Apotheoſis.*

The KING told them,

THat all the world knew He never began the Warre with the two Houſes of Parliament, and He called God to witneſſe (to whom He muſt ſhortly give an account) He never intended to encroach upon their Priviledges; They began upon Me, it was the Militia they began with, they confeſſed the Militia was Mine, but they thought fit to have it from Me: and to be ſhort, if any body will look to the Dates of the Commiſſions, Theirs, and Mine, and likewiſe to the Declarations, will ſee cleerly that They began theſe unhappy Troubles.

And a little after He ſaid, *I pray God they may take the right way to the peace of the Kingdome; But I muſt firſt ſhew you how you are out of the way, and then put you into the right way: Firſt, you are out of the way, for all the way you ever had yet (by any thing I could ever find) was the way of Conqueſt, which is a very ill way, for Conqueſt is never juſt except there be a good juſt Cauſe, either for matter of wrong, or juſt Title, and then if you go beyond the firſt Quarrell that you have, that makes it unjuſt in the end that was juſt in the beginning; but if it be onely matter of Conqueſt, then it is a great Robbery, as the Pyrate ſaid to* Alexander, *and ſo (I think) the way that you are in hath much of that way; Now (Sirs) to put you in the way, believe it, you will never doe right, nor God will never proſper you, untill you give him his due, the King (that is My Succeſſor)*

Souldiers Rebelling againſt their Maſter or Soveraigne, though they prevaile, cannot claime by conqueſt, becauſe their quarell was perfidious, baſe and ſinfull from the beginning.

Succeſſor) his due, and the People (for whom I am as much as any of you) their due.

1. *You muſt give God his due, by regulating rightly his Church, (according to his Scripture) which is now out of order, to ſet you in a way particularly now I cannot, but onely a Nationall Synod freely called, freely debating amongſt themſelves muſt ſettle this; when that every opinion is freely and clearly heard.*

2. *For the King, the Lawes of the Land will freely inſtruct you, and becauſe it concernes My ſelfe I will onely give you a touch of it.*

3. *For the people (and truely I deſire their Liberty and Freedome as much as any man whatſoever) I muſt tell you, their Liberty and Freedome conſiſts in having ſuch a Government, whereby their Lives and Goods may be moſt their own, it lies not in having a ſhare in the Government, that is nothing pertinent to them; a Subject and a Soveraigne are cleane different things: and therefore untill you reſtore the People to ſuch a Liberty, they will never enjoy themſelves; Sirs, it was for this I now come hither, if I would have given way to an Arbitrary ſway, to have all Lawes changed according to the power of the Sword, I needed not to have come here; and therefore I tell you (and I pray God it be not laid to your charge) that I am the Martyr of the People, &c.*

See ſect. 90.

This was the effect of His Majeſties Speech, who ſhewed much magnanimity and Chriſtian Patience during all the time of His Triall and Death, notwithſtanding many barbarous affronts put (by way of tentation) upon Him; He had His Head ſevered from His Body at one ſtroak, the Souldiers and Schiſmaticks giving a great ſhout preſently.

The Houſe had the impudence to anſwer the Dutch Ambaſſadours, That what they had done to the King was according to the Lawe of the Land. They meant, that their Luſts are the Lawes of the Land; for other Lawe they can ſhew none.

Thus

Thus this noble Prince (a Gentleman ſanctified by many afflictions (after He had eſcaped Piſtoll, Poyſon, and Peſtilent ayre, could not eſcape the more venemous tongues of Lawyers and Pettyfoggers, *Bradſhaw*, *Cooke*, *Steele*, *Aske* and *Doriſlaus*; thus *the Shepherd is ſmitten, and the Sheep ſcattered.*

THe ſaid High Court of Juſtice, with the downfall of King CHARLES *the 1. thereby and in Him of the Regall Government, Religion, Lawes, and Liberties of this auntient Kingdome is Emblematically preſented to the Readers view:* See the Figure, before the Title page.

Preſently after this diſſolution of the King, the Commons ſent abroad Proclamations into *London*, and all *England* over, reciting, *That whereas ſeverall pretences might be made to the Crowne, and Title to the Kingly Office ſet on foot, to the apparent hazard of the publique peace. Be it enacted and ordained by this preſent Parliament, and by the Authority of the ſame, that no Perſon whatſoever doe preſume to proclaime, declare, publiſh, or any waies to promote* Charles Stuart (*Sonne of the ſaid* Charles) *commonly called* Prince of Wales, *or any other Perſon to be King, or Chiefe Magiſtrate of* England *or* Ireland, *or of any Dominions belonging to them; by colour of Inheritance, Succeſſion, Election, or any other claime whatſoever, without the free conſent of the people in Parliament firſt had and ſignified by a particular Act or Ordinance, for that purpoſe, any Law, Statute, uſage or cuſtome to*

94. Proclamations publiſhed againſt proclaiming the King.

Who shal judge whē these Fellowes wil be thought free, and whē not?

the contrary notwithstanding: and whosoever shall contrary to this Act, Proclaime, &c. Shall be deemed and adjudged a Traytor, and suffer accordingly.

95. A Proclamation privately printed & scattered, proclaiming CHARLS the secōd.

Notwithstanding which inhibition, the 2. *February*, 1648. was printed and scattered about *London*-streets this following Proclamation:

* *A Proclamation proclaiming CHARLES Prince of* Wales, *King of* Great Britaine, France *and* Ireland.

WEE *the Noblemen, Iudges, Knights, Lawyers, Gentlemen, Freeholders, Merchants, Citizens, Yeomen, Seamen, and other freemen of* England, *doe, according to our Allegiance and Covenant, by these presents heartily, joyfully and unanimously acknowledge and proclaime the Illustrious CHARLS Prince of* Wales, *next heire of the blood Royall to his Father King CHARLS (whose late wicked and trayterous murther we doe from our soules abominate, and all parties and consenters thereunto (to be by herditary Birthright, and lawfull succession, rightfull and undoubted King of* Great Britaine, France *and* Ireland, *and the Dominions thereunto belonging. And that we will faithfully, constantly and sincerely in our severall places and callings defend and maintaine his Royall Person, Crowne, and Dignity with our Estates, Lives, and last drop of our Bloods, against all Opposers thereof; whom we doe hereby declare to be Traytours and Enemies to his Majesty and his Kingdoms. In testimony whereof, we have caused these to be published and proclaimed throughout all Counties and Corporations of this Realm, the first day of* February, *in the first yeare of His Majesties Reigne.*

God save King *CHARLES* the Second.

The

The fag end of the Houſe of Commons, *Febr.* 1. 1648. paſſed a thing they call an Act, That ſuch Members as had aſſented to the Vote, 5. *Decemb.* 1648. That the Kings Conceſſions were a ground for the Houſe to proceed to a ſetlement, ſhould not be re-admitted to ſit as Members; ſuch as were then in the Houſe and voted in the negative ſhould firſt enter thier diſſent to the ſaid Vote, ſuch as were abſent ſhould declare thier diſabbrovall before they ſit. You ſee the cheating Godly are reſolved to keep all to themſelves.

96. A Vote that ſuch Members as had aſſented to the Vote, 5. *Dec.* ſhall ſit no more: others to enter their diſſent and diſapprovall.

This day thier tame Lordſhips ſent a Meſſage to the Houſe of Commons, but they were too ſurly to call the Meſſengers in: the ſubſtance of the Meſſage was, That thier Lordſhips had appointed 7. of their Houſe to joyne with a proportionable number of Commons, to conſider of a way how to ſettle this Nation.

97. The Lords ſend a Meſſage to the Comm: but the meſſenger not called in.

Monday, 5. *Febr.* 1648. The Commons debated whether they ſhould continue the Houſe of Lords as a Court Iudicatory, or Conſultory onely? And the day following they put this Queſtion, Whether this Houſe ſhall take the advice of the Houſe of Lords, in the exerciſe of the Legiſlative power of the Kingdome, in purſuance of the Votes of this Houſe, 4. *Iann:* laſt. This was carried in the Negative by many Voices: in farther purſuance of which Vote, they farther voted, That the Houſe of Peers in Parliament is uſeleſſe and dangerous, and ought to be aboliſhed; and that an Act be brought in for that purpoſe, and voted downe their Priviledge of being exempt from Arreſts; yet they graciouſly condeſcended they ſhal be capable of being elected knights of Shires, and Burgeſſes, if any will be ſo mad as to chuſe them: yet my Lord of *Pembroke* is as much overjoyed with gay Priviledge, as if they had beſtowed a new Cap with a Bell and a Bable upon him: who will not now conclude that the Votes of this Legiſlative, this ſupreme piece of the Houſe of Commons, is the onely Law and reaſon of the Land, which leads all our Lawes and reaſon captive, and is almighty againſt all but the Councell of the Army.

98. The houſe of Lords voted downe.

The 8. *Febr.* came forth A Declaration and Proteſtation of the Peeres, Lords and Barons of this Realme, againſt the late treaſonable proceedings and tyrannicall uſurpations of ſome

99. A Proteſtation of the Peeres

Members of the Commons House, who endeavour to ſubvert the fundamentall Lawes, and Regall Government of this Kingdom, and enſlave the People to their boundleſſe Tyranny in ſtead of Freedome. The Proteſtation followeth.

VVE *the Peers, Lords and Barons of this Realme of* England, *for the preſent neceſſary vindication of the undoubted Rights and Priviledges of Parliament, and more particularly of the Houſe of Peers, the juſt Prerogatives and Perſonall ſafety of our Kings, the known Lawes and Liberties of this Kingdome, the Hereditary Freedome of all the Freemen of this Nation, and our owne affronted and contemned Honours and Authority, againſt the many late unparallel'd dangerous Invaſions and treaſonable Vſurpations of a few inſolent miſ-adviſed Members of the (late) Houſe of Commons, whiles the greateſt and ableſt part of that Houſe were forcibly detained or deterr'd from thence, wherewith we find our ſelves and the whole Kingdome unſufferably injured and deeply afflicted. Doe, after a long patient expectation of their owne ingenious Retractations of ſuch unjuſtifiable Exorbitances, which their owne judgments and conſciences cannot but condemn, whereof we now utterly deſpaire; being thereto engaged in point of Honour, Loyalty, Conſcience, Oath, and love to our Native Country, as alſo by our Solemne League and Covenant, publikely declare and proteſt to all the world, That by the Lawes and Cuſtomes of this Realme, and uſage of Parliament time out of mind, ever ſince there were Parliaments in this Iſland, the principall Authority and Iudicatory of the Parliaments of* England *hath alwaies conſtantly reſided, and ought ſtill to continue onely in the King and Houſe of Peers, (wherein He alwaies ſits) and not in the Commons Houſe, who never had, claimed, nor ought to have any right or power to judge any Perſon or Cauſe civilly or criminally (having no authority to examine any VVitneſſes upon Oath, and being no Court of Record) but onely to accuſe and impeach Delinquents in and before the Houſe of Peers, where they alwaies have uſed to ſtand bare-headed at their Barre; but never yet to ſtand covered, much leſſe to ſit, vote, or give Iudgement. And that the Houſe of Commons without the concurrent aſſent of the Houſe of Peers, and Kings of* England, *never heretofore challenged nor enjoyed, nor can of right pretend to any lawfull power or Iuriſdiction to make or publiſh any forme or binding Ordinance, Vote, Act, or Acts of Parliament whatſoever, nor ever once preſumed to paſſe any Act or*

Acts

Acts to erect a new High Court of Iustice, to trie, condemne, or execute the meaneſt Subject, leaſt of all their owne Soveraigne Lord and King, or any Peere of the Kingdome (who by the Common and Statute Lawes of this Realme, and Magna Charta, *ought to be tried onely by their Peers and not otherwiſe) or to Diſ-inherit the right Heire to the Crowne or to alter the fundamentall Government, Lawes, Great Seale, or ancient formes of proceſſe and legall proceedings of this Realme, or to make or declare High Treaſon to be no Treaſon; or any Act to be Treaſon, which in it ſelfe, or by the Law of the Land is no Treaſon; or to diſpoſe of any Offices or Places of Iudicature, or impoſe any penalties, Oaths, or Taxes on the Subjects of this Realme. And therefore we doe here in the preſence of Almighty God, Angels, and Men, from our hearts diſclaime, abhorre, and proteſt againſt all Acts, Votes, Orders or Ordinances of the ſaid Members of the Commons Houſe lately made and publiſhed, for ſetting up any new Court of Iuſtice to trie, condemne, or execute the King, or any Peers or Subject of this Realme: (which for any Perſon or Perſons to ſit in or act as a Iudge or Commiſſioner, to the condemning or taking away the life of the King, or any Peere or other Subject, VVe declare to be High Treaſon and wilfull Murther) to Diſ-inherit the Prince of* Wales *of the Crowne of* England, *or againſt proclaiming him King after his Royall Fathers late moſt impious, trayterous and barbarous murther, or to alter the Monarchicall Government, Lawes, Great, Seale, Iudicatories, and auncient formes of VVrits, and Legall proceſſe and proceedings; or to keep up or make good any Commiſſions, Iudges or Officers, made voyd by the Kings bloody execution; or to continue any old, or raiſe any new forces or Armies; or to impoſe any new Taxes, Payments, Oathes or forfeitures on the Subjects, or to take away any of their Lives, Liberties or Eſtates againſt the Fundamentall Lawes of the Realme, or to make any new Iudges, Iuſtices, or Officers; or ſet aſide the Houſe of Peers (farre antienter than the Commons Houſe) and particularly this inſolent and frantique Vote of theirs,* Feb. 6. [That the Houſe of Peers in Parliament is uſeleſſe and dangerous, and ought to be aboliſhed, and that an Act be brought in for that purpoſe] *to be not onely void, null, and illegall in themſelves by the Lawes and Statutes of this Realme, but likewiſe treaſonable, deteſtable, tyrannicall and deſtructive to the Priviledges, Rights and being of Parliaments, the juſt Prerogatives and Perſonall ſafety of the Kings of* England: *the fundamentall Government and Lawes of the Realme,*

*100. The Kingly Office voted downe. After almoſt 1000 years it is now diſcovered by theſe New Lights to be inconvenient to be in one hand; therefore it muſt be in the Councel of State: forty Tyrants for one King. That is the Army and their Party.

the Lives, Liberties, Properties and Eſtates of the People, and the moſt tranſcendent tyranny and uſurpation over the King, Kingdome, Parliament, Peers, Commons, and Freemen of England *ever practiſed or attempted in any Age, tending onely to diſhonour, enſlave, and deſtroy this antient flouriſhing Kingdome, and ſet up Anarchy and confuſion in all places.*

All which exorbitant and trayterous Vſurpations; We and all free-borne English-men are by all obligations bound to oppoſe to the uttermoſt with our lives and fortunes, leſt We ſhould be acceſſary to our owne and our poſterities ſlavery and ruine, for preventing whereof VVe have lately ſpent ſo much bloud and treaſury againſt the Malignant Party, whoſe treaſons and inſolences they farre exceed.

101. A Committee to bring in a liſt of Names for a Councell of State.

* The 7. *Febru:* the Commons debated about the Kingly Office, and paſſed this Vote,

Reſolved, &c. By the Commons of *England* aſſembled in Parliament, that it hath been found by experience, and this Houſe doth declare, that the Office of a King in this Nation, and to have the power thereof in any ſingle Perſon is unneceſſary, burdenſome and dangerous to the liberty, ſafety, and publique intereſt of the People of this Nation, and therefore ought to be aboliſhed, and that an Act be brought in for that purpoſe.

A Committee was named to bring in a Liſt of Names (not exceeding 40) to be a Committee of State, by Act of the Houſe of Commons. This is to pull downe one King, to whom we owe Allegiance; and ſet up forty Tyrants, to whom we owe no Allegiance.

102. New commiſſions for the Judges, whereof ſix hold, & ſix quit their Places.

Inſtructions were given by the Commons for drawing new Commiſſions for the Judges, according to the new Antimonarchicall ſtile and way, the new Great Seale being now ready, a Committee of the Houſe met the Iudges about it; whereof ſix agreed to hold (upon a proviſion to be made by Act of the Houſe of Commons, that the fundamentall Lawes be not aboliſhed.) This very proviſion ſo made by Act of the Commons (beſide all their former Votes againſt Monarchy, Peerage, altering

ring the ſtile of Writs, coynage of Money, &c.) is it ſelf an abolition of the fundamentall Laws: This is but a Fig. leafe to cover their ſhame. Thoſe that held were, of the Kings bench. Mr. Iuſtice *Rolles* and Iudge *Ierman*; of the Common Pleas, Mr. Iuſtice *St. Iohn*, and Iudge *Pheſant*; of the Exchequer, Chief Baron *VVylde*, and Baron *Tates*: thoſe which quitted their Places and kept their conſciences were, Iuſtice *Bacon*, Iuſtice *Browne*, Sir *Tho: Beddinfeilde*, Iuſtice *Creſſewell*, Baron *Treaver*, and Baron *Atkins*.

103. *Cyrenceſter* Election: But the Clerke of the Crowne certified, that between the Committee of Elections, and himſelfe) they could not find the Indentures of returne: the Houſe therefore Ordered, That they ſhould ſit, & doe de ſervice; ſo they are Burgeſſes not returned: but ordered to ſit. * 104. A Declaration, That they wil keep the fundamentall Lawes, (lives) why did they erect the High Court of Juſtice, & doe ſtill continue Martiall Law? (liberties) why doe they preſſe Seamen then? (properties) why doe they leavie illegal Taxes by Souldiers, & continue illegal Sequeſtrations.

8. *Febr.* The Election of the Generall and Col: *Rich* at *Cyrenceſter* which never durſt ſee the light before, after about 3 yeares lying dormant, and no account made of it; is on a ſudden reported to the Houſe, approved of, and the Clerke of the Crowne (for whom they have not invented a new name yet) ordered to mend the returne of the Writ at the Barre.

* They likewiſe paſſed a Declaration to this purpoſe, that they are fully reſolved to maintaine, and ſhall and will uphold, preſerve and keep the fundamentall Lawes of this Nation; for, and concerning the preſervation of the lives, liberties and properties of the People, with all things incident thereunto, with the Alterations concerning Kings, and Houſe of Lords, already reſolved in this preſent Parliament.

Monday, *February* 12. The Commons appointed the Circuits for thoſe Iudges that held, and paſſed an Act for Compleating the Iudges of the ſeverall Courts, filling up the roomes of thoſe that held not, with ſome alterations in their former Commiſſions, and a new Oath to be given them, to ſweare well and truly to ſerve the Common-wealth in the Office of a Iuſtice of the Upper Bench (which all our Lawes call the *Kings Bench*) or Common Pleas, according to the beſt of their skill and cunning.

105. The Iudges Circuites appointed, the Benches filled up, and their Oaths altered.

The Houſe paſſed an Act that the Oath underwritten, and no other be adminiſtred to every Free-man of the City of *London* at his admiſſion, and of all other Cities, Burroughs, and Townes Corporate.

106. A new Oath for the Free-men of *London*, and other Corporations.

You

You ſhall ſweare, that you will be true and faithfull to the Commonweath of England, *and in order thereto, you ſhall be obedient to the juſt and good Government of the* City *of* London, *&c.*

107. An Act to repeal the Oaths of Allegiance, Obedience, and Supremacy.

They paſſed an Act alſo, to repeale the ſeverall Clauſes in the Statutes, 1. *Eliz.* & 3. *Iacob.* enjoyning the Oaths of Allegiance, Obedience and Supremacy, That the ſaid Oathes, and all other Oathes of the like nature ſhall be, and are hereby wholly taken away, the ſaid Clauſes in the ſaid Acts be made void and null, and ſhall not hereafter be adminiſtred to any Perſon, neither ſhall any place or office be void hereafter by reaſon of the not taking of them, or any of them, any Law, Cuſtome, or Statute to the contrary notwithſtanding.

108. Another Declaration and Proteſtation of the ſecured & ſecluded Members

In oppoſition to theſe tyrannous, deſtructive, illegall and trayterous proceedings of 40. or 50. cheating Schiſmaticks ſitting under the force, and promoting the Intereſts of will and power of the rebellious Councell of Officers in the Army: The ſecured and ſecluded Members of the Houſe of Commons Declared as followeth:

* *A publike Declaration and Proteſtation of the ſecured & ſecluded Members of the Houſe of Commons; Againſt the treaſonable & illegall late Acts & proceedings of ſome few Confederate Members of that dead Houſe, ſince their forcible Excluſion,* 13. Febr. 1648.

WE the *ſecured* and *ſecluded Members* of the late *Houſe of Commons*, taking into our ſad & ſerious Conſiderations the late *dangerous*, *deſperate* and *treaſonable proceedings* of ſome few Members of that Houſe (not amounting to a full eighth part of the Houſe if divided into ten) who confederating with the Officers and Generall Councell of the *Army*, have forcibly detained and ſecluded us (againſt the *Honour*, *Freedome*, and *Priviledges of Parliament*) from *ſitting* and *voting* freely with them, for the better ſetling of the *Kingdomes peace*; and contrary to their *Oaths* of *Allegiance* and *Supremacy*, their *Proteſtation*, the *Solemne League and Covenant*, and ſundry *Declarations* and *Remonſtrances*

monſtrances of both *Houſes*, to His late *Murdered MAIESTY*, *His Heires and Succeſſors*, the whole *Kingdomes* of *England*, *Scotland* and *Ireland*, and to all *foraigne States* and *Nations* (ſince our excluſion and forced abſence from their *Counſels*, by reaſon of the Armies force) moſt preſumptuouſly arrogated and uſurped to themſelves the Title of, *The Supreme Authority of this Kingdome*: and by colour and pretence thereof have *wickedly* and *audaciouſly* preſumed, without and againſt our *privities* or *conſents*, and againſt the *unanimous Vote of the Houſe of Peers*, to erect a *High Court of Iuſtice* (as they terme it) though never any Court themſelves, to Arraigne and Condemne *His Majeſty*, againſt the *laws of God*, and the *municipall Lawes* of the Realme: which *Court* (conſiſting for the moſt part of ſuch *partiall* and *engaged Perſons* who had formerly vowed *His Majeſties deſtruction*, and *ſought His bloud*) moſt *illegally* & *unjuſtly* refuſed to admit of *His Majeſties juſt Reaſons* and *exceptions* againſt their *uſurped Iuriſdiction*; and without any *lawfull Authority* or *proofe* againſt Him, or *legall Triall*, preſumed moſt *trayterouſly* and *impiouſly* to *Condemne* and *Murder Him*: and ſince that, have likewiſe preſumed to Trie and Arraigne ſome *Peers*, and others *free Subjects of this Realme* for their Lives, contrary to *Magna Charta*, the *Petition of Right*, the *Lawes of the Land*, and *the Liberty of the Subjects*, to the great *enſlaving* and *endangering* of the *lives* and *liberties* of all *free People* of *England*.

And whereas the ſaid *confederated Commons* have likewiſe tyrannically and audaciouſly preſumed contrary to their *Oathes* and *Engagements* aforeſaid, to take upon them to *make Acts of Parliament* (as they terme them) without our privity or aſſents, or the joynt conſent of the *King* and *Houſe of Lords*, contrary to the Uſe and Priviledges of *Parliament* and knowne *Laws* of the *Land*, and by pretext thereof have trayterouſly and wickedly endeavoured to *Diſ-inherit* the Illuſtrious *CHARLES Prince of Wales*, next Heire to the Crowne, and actuall *KING* of *England*, *Scotland*, *France*, and *Ireland*, immediately after His ſaid *Royall Fathers barbarous Murther*, *by Right of Deſcent*; and proclaimed it *Treaſon* for any Perſon to Proclaime Him *KING*; (whereas it is *high Treaſon* in them thus to prohibit His proclaiming) and have likewiſe trayterouſly and impudently encroached

a *tyrannical* & *lawleſſe power* to themſelves to Vote down our antient *Kingly* & *Monarchicall Government*, and the *Houſe of Peers*; and to make a *new Great Seal of England* without the *Kings Portraicture* or *Stile*, and to alter the antient *Regall* and *Legall ſtile of VVrits* & *proceedings* in the *Courts of Iuſtice*, & to create *new Iudges* and *Commiſſioners* of the *Great Seale*, and to diſpenſe with their *Oathes* of *Supremacy* and *Allegiance*, and to preſcribe *new Oathes* unto them contrary to Law, (though they have no *Authority* by any Law, Statute, or Cuſtome to adminiſter or injoyne an *Oath* to any man) and thereby have *trayterouſly* attempted to alter the fundamentall *Laws* and *Government* of this *Kingdome*, and to ſubvert the *freedome*, *priviledges*, and *beeing* of *Parliaments*; for which Treaſons, *Strafford* and *Canterbury* (though leſte criminall) loſt their *Heads* this laſt *Parliament*, by ſome of their owne proſecutions, and the judgment of both Houſes.

We in diſcharge of our reſpective duties and obligations both to God, the King, our owne Conſciences, our bleeding dying Kingdomes, and the ſeverall Counties, Cities and Burroughs for which we ſerve, doe by this preſent Writing, in our own Names, and in the Names of all the Counties, Cities, and Burroughs which We repreſented in Parliament, publickly declare and ſolemnly proteſt before the all-ſeeing God, the whole Kingdomes of *England*, *Scotland*, and *Ireland*, and the world, that We doe from the bottome of our hearts abominate, renounce and diſclaime all the ſaid pretended Acts, Votes, and proceedings of the ſaid confederate Members, (acted under the Armies power againſt our Conſents) as treaſonable, wicked, illegall, unparliamentary, tyrannicall, and pernitious both to the King, Parliam, Kingdomes, and all the free-borne People of this Realme; extreamly diſadvantagious and diſhonourable to our Nation, ſcandalous to our Religion, and meer forcible Uſurpations, and Nullities void in Law to all intents and purpoſes; which we, and all the Freemen of this Kingdome, and all the Kingdomes and Dominions thereto belonging, are bound openly to diſavow, oppugne, and reſiſt as ſuch, with our purſes, armes, lives, to the laſt drop of our blouds; and to which, neither We, nor any other can, ought, or dare to ſubmit or aſſent in the leaſt degree, without incurring the guilt of *High Treaſon*, and the higheſt *perjury*, *infamy*, and

diſloyalty

diſloyalty. And in caſe the ſaid Confederates ſhall not ſpeedily retract, and deſiſt from thoſe their treaſonable practiſes, and tyrannicall uſurpations; (which We cordially deſire and entreat them by all obligations of love and reſpect they have to God, Religion, their King, Country and Poſterity timely to doe.) We doe hereby denounce and declare them to be Traytors and publique Enemies both to the King and Kingdome, and ſhall eſteem and proſecute them, with all their wilfull Adherents, and voluntary Aſſiſtants as ſuch; and endeavour to bring them to ſpeedy and condigne Puniſhment, according to the *Solemne League and Covenant*; wherein, We truſt the whole *Kingdome*, all thoſe for whom We ſerve, and the *Lord of Hoſts* himſelf to *whom* We have ſworne and *lifted up our hands*, *hearts*, and *fervent prayers* will be aiding and aſſiſting to us, and all our Brethren of *Scotland* and *Ireland* who are *united* and conjoyned with us in *Covenant to our* GOD, and *Allegiance* to our *Soveraigne King* CHARLES *the Second*, who (we truſt) will make good all His deſtroyed *Fathers Conceſſions* which really concerne our *peace*, or *ſafety*, and ſecure Us againſt all *force* and *tyranny* of our *Fellow-ſubjects*; who now, contrary to their Truſts and former Engagements, endeavour by the meer power of that Sword, (which was purpoſely raiſed for the protection of our *Perſons*, *Government*, *Religion*, *Laws*, *Liberties*, *the* KING's *Royall Perſon and Poſterity*, *and the Priviledges of Perliament*) to Lord it over Us at their pleaſure, and enthrall and enſlave Us to their *armed violence*, and *lawleſſe martiall wills*; which we can no longer tolerate nor undergoe, after ſo long fruitleſſe and abuſed patience in hope of their repentance.

About the ſame time came out another Paper, entituled:

109. A Paper entituled, [*Foure true Poſitions, &c.*]

Foure true and conſiderable Poſitions for the ſitting Menbers, the new Cours of Iuſtice, and new Iudges, Sheriffs, Officers Lawyers, Iuſtices, and others to ruminate upon.

1. THat the whole Houſe of Commons in no Age had any Power, Right or Lawfull Authority to make any Valid or binding Act or Ordinance of Parliament; or to impoſe any Tax, Oath, Forfeiture, or capitall puniſhment upon any Perſon or

Free-man of this Realme, without the *Lords* or *Kings concurrent* aſſents: much leſſe then can a ſmall remnant onely of the Members of that Houſe doe it, ſitting under an armed force (which nulls and vacates all their *Votes* and procedings, as the *Ordinance* of 20. *Auguſt.* 1647. declares) whilſt moſt of their Fellow-Members are forcibly detained and driven thence, as Mr. *St. Iohn* proves in his Speech concerning Ship-mony, *p.* 33. and in his Argument concerning the Earle of *Strafford's* Attainder, *p.* 70. 71. 76. 77. 78. and Sir *Edw. Coke* in his 4. *Inſtit. c.* 1.

2. That the few Members now ſitting in, and the Houſe of Commons being no Court of Iuſtice of it ſelfe, and having no power to heare and determine any civill or criminall Cauſes, nor to give an Oath in any caſe whatſoever, cannot by the Lawes and Statutes of the Realm, nor by any pretext of authority whatſoever, erect any new *Court of Iuſtice*, nor give power or authority to any new *Iudges, Iuſtices*, or *Commiſſioners* to arraigne, trie, condemn or execute any Subject of meaneſt quality, for any reall or pretended crime whatſoever; much leſſe their owne Soveraigne Lord the *King*; or any *Peers* of this Realme, who ought to be tried by their Peers, and by the Law of the Land alone, and not otherwiſe. And that the condemning and executing the King, or any Peere, or other Subject by pretext of ſuch an illegall Authority, is no leſſe than High Treaſon and wilfull Murther, both in the Members, the Commiſſioners, Iudges or Iuſtices giving and executing Sentence of Death in any ſuch arbitrary and lawleſſe void Court, or by vertue of any ſuch void & illegall Commiſſions.

3. That the Houſe of Commons and Members now ſitting, have no power nor authority to make or alter the Great Seale of *England*, or grant any Commiſſions to any Commiſſioners, Iudges, Sheriffs, Juſtices of the Peace, or any other. That all the Commiſſions granted by them, under their New, or any other Seale, are meerly void & illegall; and all the new Writs and proceedings in Law or Equity before any Iudges, Iuſtices, Sheriffs, or other Officers made by them, meerly void in Law to all intents, *& coram non judice.*

4. That the deniall of the KING's Title to the Crowne, and plotting the meanes to deprive Him of it, or to ſet it upon anothers Head, is High Treaſon, within the Stature of 25. *Ed. 3. ch.* 2. And that the endeavouring to ſubvert the Fundamentall Lawes and

and Government of the Realme of *England* by King, Lords, and Commons; and to introduce a tyrannicall or arbitrary Government againſt Law, is High Treaſon at the Common Law (eſpecially in Iudges and Lawyers) not taken away by any Statute. Both which Mr *St. Iohn* in his Argument at Law, concerning the Bil of attainder of high Treaſon of *Tho:* E. of *Strafford*, publiſhed by order of the Com: Houſe, *An.* 1641. *p.* 8. 14. to 33. & 64. to 78. And in his Speech at a Conference of both Houſes of Parl: concerning Ship mony, *An.* 1640. hath proved very fully by many reaſons and preſidents; and *Coke* in his 7. *Report*, *f.* 10, 11, 12. & 3. *Inſtit. c.* 1. That the Commons now ſitting, in making a new Great Seale, without the Kings Image or Style, in granting new illegall Commiſſions to Iudges, Juſtices of Peace, Sheriffs, and other Officers in the name of *Cuſtodes Angliæ* in the generall, in omitting and altering the Kings Name, Style and Title in Writs, Proceſſe, Indictments, and proceedings at the Common Law, and thereby indeavouring to Diſ-inherit the *Prince*, (now *lawfull King* by and ſince his Fathers bloody murther) and to alter and ſubvert the Fundamentall Lawes and Government of the Realme, by ſuch Commiſſions and proceedings, and by the power of an Army to enforce them; and the Iudges, Iuſtices, Sheriffs, and other Officers who accept of ſuch Commiſſions, and all thoſe (eſpecially Lawyers) who voluntarily aſſiſt, conſent, and ſubmit to ſuch Commiſſions and Alterations by ſuch uſurped, illegall Authority, and the Commiſſioners ſitting in the New Courts of Juſtice are moſt really guilty of both theſe high * Treaſons (in which there are no Acceſſories) and leſſe excuſable than *Strafford* or *Canterbury*, whom ſome of theſe new Iudges and ſitting Members impeached and proſecuted to death for thoſe very Treaſons themſelves now act in a more apparent and higher degree than they, and (in reſpect of their Oaths, Covenant, Callings and Places) are more obliged to maintaine the *Kings* Title, the Fundamentall Lawes and Government, the Rights and Liberties of the Kingdome and Parliament then they; and therefore (if they perſevere therein) may juſtly expect the ſelf-ſame capitall puniſhments they underwent, if not farre worſe; eſpecially ſince they attempt to reduce the *antienteſt Kingdom of all Chriſtendom*, into the *punieſt* and moſt *contemptible State* in all the World; and thereby to render us the moſt *infamous*, *perfid ous* and *diſ-*

* Whereupon ſix Iudges refuſed to accept any new Commiſſions, or to act as Iudges.

honourable Nation under Heaven, both to the preſent and all ſucceeding Ages: which muſt needs make the Contrivers and Abetters thereof the moſt deteſtable Traytors and publique Enemies to their *King* and *native Country* that ever this Realme brought forth in any Age. Repent therefore of theſe your treaſons, and amend your lives, if you expect the leaſt hope of pardon from God or Man; and expiate all your former *high miſdemeanors*, by engaging all your power and endeavours to ſettle all things in *Church* and *State* according to your primitive engagements; inſtead of accumulating one ſin and Treaſon to another, which will prove your certaine ruine in concluſion, not your ſafety.

110. Six propoſitions of undoubted verity. Another Paper.

About the ſame time, and (it is thought) from the ſame Author came forth a Paper bearing the Title of,

Six Propoſitions of undoubted verity, fit to be conſidered in our preſent exigency by all loyall Subjects and conſcientious Chriſtians.

Every act of Parliament relateth to the firſt day of the ſame Parliam: but

1. THat this Parliament is *ipſo facto* Diſſolved by the King's death; He being the Head, Beginning and End of the Parliament, called onely by his Writ, to Confer with Him as His Parliament and Councell about urgent affaires, concerning Him and His Kingdome, and ſo was it reſolved in 1. *Hen.* 4. *Rot. Parl. n.* 1. 14 *H.* 4. *Coke* 4. *Inſtit. p.* 46. *&* 4 *C.* 4. *f.* 44. *b.*

it cannot be, that any Act paſſed in the Reigne of King *Charles* the ſecond ſhould relate to the firſt day of this Parliament, which happened in the ſixteenth yeare of *Charles* the Firſt; *ergo*, this Parliament is determined by the death of King *Charles* the firſt.

2. That immediately upon this Parliaments diſſolution by the Kings death, all Commiſſions granted by the King, or by one or both Houſes to the Generall or Officers of the Army, the Commiſſioners of the Great Seale of *England*, Iudges of the Kings Courts, Iuſtices of Peace, Sheriffs, Exciſe-men, Cuſtomers, and the like; with all Committees, and Ordinances of one or both Houſes made this Parliament, did actually determine, expire, and become meerly void in Law to all intents and purpoſes, and cannot be Continued as good and valid by any Power whatſoever.

3. That inſtantly after the Kings deceaſe, the Imperiall Crowne

Crowne of this Realme of *England*, and of the Kingdoms, Dominions, and Rights thereunto belonging, was by inherent Birthright, and Lawfull undoubted ſucceſſion and deſcent actually veſted in the moſt Illuſtrious *Charles*, Prince of *Wales*, being next lineall Heire of the bloud Royall to his Father King *CHARLES*: and that He is actuall *KING* thereof, before any Ceremony of Coronation, as is reſolved in full Parliament, by the Statute of 1. *Iacobi, ch.* 1. and by all the Iudges of *England* ſince. *Coke 7. Report. f.* 10, 11. in *Calvins* Caſe, Whoſe Royall Perſon and Title to the Crowne all loyall Subjects are bound by their Oaths of Supremacy, Allegiance, and Solemne League and Covenant, with their Eſtates, Lives, and laſt drop of their bloods to maintaine againſt all Oppoſers.

4. That all Peers of the Realme, Mayors, Sheriffs, chief Officers of Cities and Corporations in this Kingdome, are obliged by their Places and Allegiance, without any delayes or excuſes, to declare and proclaime Prince *Charles* to be rightfull King of *England*, and of all Kingdomes and Rights thereunto belonging; notwithſtanding any illegall prohibitions or menaces to the contrary by any uſurped Power whatſoever; under paine of being guilty of High Treaſon, and forfeiting their City and Corporation Charters, in caſe of ſupine neglect or refuſall thereof; through faire, terror or any ſiniſter reſpect.

5. That till King *Charles* be ſetled in his Throne, or give other Order, the preſent Government of the Kingdome is legally veſted onely in the Lords and Peers of the Realme, being by Inheritance, Cuſtome and Law in ſuch caſe, the Kings and Kingdoms great Councell, to whoſe lawfull Commands all other Subjects ought to yeeld ready Obedience.

6. That every profeſſed actuall endeavour by force or otherwiſe to alter the fundamentall Monarchicall Government, Laws, and legall Style and proceedings of this Realm; and to introduce any new Government or Arbitrary proceedings contrary thereunto, is no leſſe than High Treaſon, and ſo declared & reſolved by the laſt Parliamt, in the Caſes of *Strafford* and *Canterbury*, the loſſe of whoſe Heads (yet freſh in memory) ſhould deterre all others from purſuing their pernitious courſes and out-ſtripping them therein; they being as great, potent, and as farre out of the reach

reach of danger and justice in humane probability as any of our present Grandees.

111. A New Stamp for Coyne

That no Act of Rebellion and Treason might be unattempted by this Conventicle, no part of the Regalities of the King, or Peoples Liberties unviolated; they considered of a New Stamp to be given to all Coyne (for the future) of this Nation.

112. Instructions for the Councel of State.

13. *Febr.* They considered of Instructions and Power to be given by way of Commission to the said Committee, or Councel of State. 1. For the Government of the two Nations of *England* & *Ireland*; appointing a Committee to bring in the Names of these *Hogens Mogens*; and to perfect their Instructions: for, (1) Ordering the Militia. (2) Governing the People, (they were wont to be Governed by knowne Lawes, not by Arbitrary Instructions, and by one King, not by forty Tyrants, most of them base Mechanicks, whose education never taught them to aspire to more knowledge than the Office of a Constable.) (3) Setling of Trade. (most of them have driven a rich Trade in the worke of Reformation for themselves.) (4) Execution of Lawes, (this was wont to be done by legall sworne Iudges, Iuries, and Officers.)

113. Powers given to the Councel of State.

14. *Febr.* The Committee reported to the House the Names of the Committee of State, or Lords States Generall. Also the Power they were to have, *viz.*: 1. Power to command and settle the Militia of *England* and *Ireland*. 2. Power to set forth Ships, and such a considerable Navy as they should think fit. 3. Power to appoint Magazines and Stores for the Kingdoms of *England* and *Ireland*, and dispose of them from time to time for the service of both Nations, as they shal think fit. 4. Power to sit and execute the severall powers given for the space of one whole yeare; with many other powers not yet revealed, and daily increased: besides what improvements of Power they are able to make hereafter, having the Militia of an Army (that formidable Hob-goblin) at their Command. They have two Seales appointed, a Great Seale, and a Signet. Patents for Sheriffs, and Commissions for Justices; and Oathes for both, were reformed according to the Godly cut.

When

VVhen the Committee of State vvas nominated in the Houſe, divers Gentlemen of the beſt quality vvere named; vvhom they could not omit, becauſe they had ſate vvith them, and concurred in all their great debates: although they had more confidence in thoſe petty Fellovves, vvho had, or vvould ſell their ſoules for gain, to make themſelves Gentlemen, to debarre the ſaid Gentlemen of quality therefore and make them forbeare, they invented an expurgatory Oath or *Shiboleth* to be taken by every Member before his initiation, vvhereby they ſhould Declare, *That they approved of vvhat the Houſe of Commons and their High Court of Juſtice had done againſt the* KING, *and of their aboliſhing of Kingly Government, and of the Houſe of Peers, and that the Legiſlative and Supreme power was wholly in the Houſe of Commons.* 22. Febr: *Cromwell* (Chairman of that Committee of State) reported to the Commons, *That according to the order of that Houſe, 19 of the ſaid Members had ſubſcribed to that forme of the Oath as it was originally penned: but 22. of them ſcrupled it, whereof all the Lords were part, not but that they confeſſed (except one) The Commons of* England *to be the Supreme power of the Nation, or that they would not live and die with them in what they ſhall doe for the future, but could not confirme what they had done in relation to the King and Lords:* ſo it vvas referred to a Committee to conſider of an expedient. 114. An expurgatory Oath put upon the Councell of State, ſcrupled by ſome of the Members, and moderated by *Cromwell*, in oppoſition of the Levellers.

Cromwell (having made uſe of the Levellers (Aſſertors of publique Liberty) to purge the Houſe of Commons, and aboliſh the Lords Houſe) doth novv endeavour to caſt dovvne the Levellers once more, finding himſelfe raiſed to ſo great an height, that he cannot endure to thinke of a levelling equality; he overſvvaies the Councell of VVarre, over-avves the Houſe of Commons, and is Chair-man and Ring-leader of the Councell of State: ſo that he hath engroſſed all the povver of *England* into his ovvne hands, and is become the Triple King, or Lord Paramount over all the Tyrants of *England*; in oppoſition therefore to the Levelling party, 115. *Cromwells* uſurped povver. VVhen the Houſe of Commons oppoſed *Cromwells* and *Iretons* deſigns, they cried up the Liberty of the People, and decried the Authority of Parliament, untill they had made uſe of the Levellers to purge the Houſe of Commons, and make it ſubſervient to their ends; and aboliſh the Houſe of Lords: and then they cried up the Supreme Authority of their Houſe of Commons, and decried the Liberty of the People, and the Levellers who upheld it. So *Charles* the 5. firſt made uſe of the Popes Authority to ſubdue the Proteſtants of *Germany*, and then uſed an Army of Proteſtants to ſubdue and impriſon the Pope.

party, and for the upholding his owne more Lordly Intereſt, he procured an expedient to Alter and Reforme the ſaid Oath, vvhich at laſt paſſed in this forme followving:

February the 22. 1648.

116. The forme of the ſaid reformed Oath.

I A. B. *being nominated a Member of the Councell of State by this preſent Parliament, doe teſtifie, that I doe adhere to this preſent Parliament, in the maintenance and defence of the publique liberty and freedome of this Nation as it is now Declared by this Parliament, (by whoſe Authority I am conſtituted a Member of the ſaid Councell) and in the maintenance and defence of their reſolutions concerning the ſetling of the Government of this Nation for the future, in way of a Republique without King or Houſe of Peers, and I doe promiſe in the ſight of God, that (through his Grace) I will be faithfull in performance of the truſt committed to me as aforeſaid, and therein faithfully purſue the Inſtructions given to the ſaid Councell by this preſent Parliament; and not reveale or diſcloſe any thing in whole or in part, directly, or indirectly, that ſhall be debated or reſolved upon in the Councell, without the command or direction of the Parliament, or without the order or allowance of the major part of the Councell, or of the major part of them that ſhall be preſent at ſuch Debates or Reſolutions: In confirmation of the premiſes, I have hereto ſubſcribed my Name.*

Here you ſee a curtaine drawn between the eys of the people & the clandeſtine machinations and actings of this Councell.

117. The Councell of VVar debate to maſſacre the *Kings party*. See *Will: Sedgvvicks [Inſtice upon the Armies Remonſtrance.]*

About this time it vvas debated at the Councell of VVarre *to Maſſacre and put to the Sword all the* KING's *Party*. The Queſtion put, vvas carried in the Negative but by tvvo Voices. You ſee vvhat Furies purſue theſe ſinfull VVretches, and vvhat dangerous rocks they daſh upon, in order to that baſe and covvardly principle of *Self-preſervation*.

118. Schiſmaticall Petitions for 2. or 3. principall Gentlemen in each County to be brought to juſtice.

The Army hath in every County of *England* packs of ſchiſmaticall Beagles, vvhom they hollovv on to hunt in full crie (by Petitions to the Houſe) after the bloud of ſuch vvhom they deſign for ſlaughter. Many Petitions have been lately preſented, *That tvvo or three principall Gentlemen of the* KING's *Party (by name) in each County, might be ſacrificed to Iuſtice, whereby the Land might be freed from bloud-guiltineſſe.*

Divers

Divers Merchants have contracted to ſend forth ſeverall Ships for the next Summers Fleet, at their ovvne charge. 119. Marchants arming Ships for this Summers Fleet.

The prodigious High Court of Iuſtice vvas revived in order to the Triall of the Earle of *Holland*, the Earle of *Cambridge*, the Earl of *Norwich*, the Lord *Capel*, and Sir *Iohn Owens*; the Commiſſioners vvere changed (that they may engage as many men in arbitrary, illegall tyranny and bloud-ſhed as they can.) 120. The High Court of Iuſtice revived.

Hamilton vvas exceedingly importuned by *Cromwell* (vvho tooke a journey to *VVindſor* purpoſely) *to name ſuch Members of Parliament and Citizens as had any hand in calling him in*: this he either could not, or vvould not doe; he had (in order to his ovvn ambition) firſt exaſperated the Independent party againſt the KING, and aftervvards ſought their ruine by engaging for the KING: and he doubted that to undertake ſo odious an office as to play the Devils part, and be an Accuſer of his Brethren, vvould but ſet a gloſſe upon the Independents intended ſeverity againſt him. Being brought to St. *Iames's* in order to his Tryall, *Cromwell* (hoping to traine him to a confeſſion) cauſed all his Creatures to carry a favourable countenance to him. *Bradſhaw* ſmoothed him up vvith ſoft language at the Barre; the Lord *Gray* of *Grooby*, Col: *VVayte*, and *Hugh Peters*, gave him hopes that they vvould not much obſtruct his pretended Plea of Quarter from *Lambert* upon Articles, *Peters* avouched Quarter ſo given by *Lambert*; notvvithſtanding Colonel *VVayte* (vvhen he made Report to the Houſe of Commons hovv he took him) affirmed *He yeilded at diſcretion*, *and* Lambert *was not then neer him*: after this *Peters* gives *Hamilton* a Viſit, vvho gives *Peters* thanks and mony to boot for his late favour done him in Court; and knovving him to be an Inſtrument of *Cromwells*, imployed him as his Solicitor to the Members of the Houſe and Army. *Peters* prayes for *Hamilton* openly as his *Lord* & *Patron*, ſtil feeding him vvith hopes, *If he would Impeach their Oppoſites*: yet ſtill he vvaved this, offering them 100000l. for his life, and often inculcating vvhat ſervices he vvould do them in *Scotland*; for vvhich purpoſe he offered to joyn Intereſts vvith *Argyle*, and be a Servant to their Party. Meſſengers vvere poſted into *Scotland* to knovv *Argyles* pleaſure: But he had been over-reached formerly by *Hamilton*, & he vvas reſolved to admit no Competitor, vvhich vvould have eclipſed his greatneſſe, 121. The Hiſtory of *Hamiltons* impriſonment and death. See *digitus Dei* upon Duke *Hamilton*.

Quare, VVhat an accuſation extorted for feare of death, and hope of life is vvorth? *Hamilton* confeſſed at his death, he had been much preſſed; yet had named no man.

neſſe, and have made him not the ſole Patron of Scotiſh Independency: Beſides, the Kirke ſo farre hated *Hamilton* that they preached off his Head in *Scotland*, before it vvas cut off in *England*: the High Court of Iuſtice lingered long in expectation of an Anſvver; at laſt ſuch a one came as decried all reconciliation vvith *Hamilton*; vvhereupon the ſcene vvas altered preſently, *Bradſhaw* handled him roughly at the Bar, *Mar.* 6. Thoſe vvhich ſmiled on him before, frovvned novv; being asked *vvhat he could ſay?* he pleaded *Quarter*, and vouched *Peters* Teſtimony: vvho vvith a brazen face renounced his former Teſtimony, ſaying, *He novv remembred no ſuch matter, but that the Army ſcorned to give quarter to him, or any of his Nation*: vvhereupon, he vvas condemned to the Block; vvhich Sentence vvas executed upon him, *March* 9. yet they led *Hamilton* vvith vaine hopes to the laſt gaſp, for feare he ſhould give glory to God, and throvv ſhame and infamy upon themſelves by a Chriſtian confeſſion of his, *Argyles*, and their mutuall vilanies: beſides, ſuch a Diſcovery vvould have made *Argyle* leſſe ſerviceable to them in *Scotland*, vvhoſe next deſigne is to cajole the Kirke by ſeeming an Enemy to the Sectaries of *England*, and pretending to ſerve the Presbyterian Intereſt. Thus I conclude the Tragedy of Duke *Hamilton*.

VVhen *Hamilton* was upon the Scaffold, divers Officers of the Army, and *Hugh Peters* converſed familiarly with him, to the laſt, and Meſſengers paſſed to and fro.

122. The Death of the Ld *Capel*.

In oppoſition to vvhom, I vvill briefly relate the Tragedy of the noble Lord *Capel*, a Gentleman of great courage and integrity. He had made an adventurous eſcape out of the *Tower*, but vvas re-taken by the treachery of a limping VVater-man, (if I knevv his Name I vvould beſtovv a blot of Inke upon him.) He pleaded for himſelfe *Articles of Surrender* (vvhich vvere reall in him, though not in *Hamilton*) *that divers that vvere in* Colcheſter, *and in his condition, had been admitted to Compound*; and *deſired to be referred to Martiall Lavv*, vvhich being denied, He moved, *he might not be debarred of Additionall defence; if he muſt be judged by the Common Lavv, then he demanded the full beneſit of that Declaration of the Commons*, 19 Feb. 1648. vvhich Enacteth & Declareth, *That though King and Lords be laid aſide, yet all other the fundamentall Lavves ſhall be in force concerning the lives, liberties and properties of the Subject*: and recommended to them *Magna Charta*, *The Petition of Right*, *3 Caroli*: and the Act made, *H. 7. for indempnity of all ſuch as adhered to the preſent King in poſſeſſione* alſo

alſo the exception in the Act of Attainder of *Strafford* and *Canterbury*, vvhich ſaies, *Their Caſes ſhall not be uſed as a precedent againſt any man*: He deſired to ſee his jury, and that they might ſee him, and ſo might be Tryed by his Peers, ſaying, *He did believe no precedent could be given of any Subject Tried, but by Bill of Attainder in Parliament, or by a Iury.* But all vvas but to charme a deafe Adder. He vvas a gallant Gentleman, and they durſt not let him live.

123. The Kings Library at Saint *Iames's* given to *Hugh Peters.*

The K I N G's Library at St. *Iames's* vvas given (I heare) to that ignorant Stage player *Hugh Peters.*

124. L. C. *Lylburns* Petition to the Houſe, with *Englands nevv Chaines*, annexed. See the Hunting the Foxes, &c. *pag.* 8.

26. *Febr. Iohn Lylborne* delivered to the Commons (by the name of *the Supreme Authority of* England) *A Petition in the name of many thouſand wel-affected*, vvith a Booke annexed, entituled, *Englands new Chains diſcovered.* The moſt materiall points thereof are, that they find fault vvith *The Agreement of the People*, preſented to the Houſe by Lieut. Gen: *Hammond*, from the Officers of the Army: becauſe.

1. *They like not there ſhould be any intervalls betvveen the end of this Repreſentative novv ſitting, and the beginning of the next, vvhereby during the ſaid Intervall the Supreme povver vvill be left in the nevv erected Councell of State, a Conſtitution of a nevv and unexperienced nature, vvhich may deſigne to perpetuate their povver, and keep off Parliaments and Repreſentatives for ever.*

2. *They conceive no leſſe danger in that it is provided that Parliaments for the future, are to continue but 6 monthes, and the Councell of State 18 Monthes; in vvhich time having Command of all the Forces by Sea and Land, they vvill have great opportunities to make themſelves abſolute and unaccountable.*

3. *They are not ſatisfied vvith that Clauſe in the ſaid Agreement*, That the Repreſentative ſhall extend to the erecting and aboliſhing Courts of Iuſtice; *ſince the alteration of the uſuall vvay of Tryalls by 12 ſvvorne Men of the Neighbourhood may be included therein, as hath lately been done by erecting a new High Court of Iuſtice criminall under a Preſident and Commiſſioners, or Tryers picked and choſen in an unuſuall vvay, all liberty of exceptions againſt them being over-ruled.*

4. *They are not ſatisfied vvith that Clauſe in the Agreement*, That the Repreſentative have the Higheſt finall Iudgement; *ſince*

their Authority is onely to make Generall Lawes, Rules and Directions for Courts, and Perſons aſsigned by Law to execute them, unto which the Repreſentatives themſelves are to be ſubject, it being a great partiality and vexation to the People, that the Law-makers ſhould be Law-executors.

5. *They find fault with the Exciſe, calling it,* The great obſtructor of all Trade, farre ſurmounting Ship-money, and all Patents, Projects, and Monopolies before this Parliament.

6. *The Act for Preſſing of Sea-men.*

7. *The Generall and Officers obſtructing the Preſſe.*

8. *The Chauncery and Courts of Iuſtice not regulated.*

Hunting the Foxes, p. 8. ſajes *it vvas Iretons invention.*

9. *They complaine, That a Councell of State is haſtily choſen as Guardians of the Peoples liberties, with a vaſt and exorbitant power: 1. To command, order, and diſpoſe of all Forces by Sea and Land, and all Magazines of Store in* England *and* Ireland. *2. To diſpoſe all Publique Treaſure. 3. To command any Perſon whatſoever before them, to give Oath for diſcovery of Truth. 4. To Impriſon any that ſhall diſobey their Commands, and ſuch as they ſhall Iudge contumacious:* vvhat novv is become of *Magna Charta*, and the Liberties of the People, *That no Mans Perſon ſhall be Attached or Impriſoned, or Diſſeiſed of his Free-hold or Free-cuſtomes but by Lawfull Iudgement of his Equalls?* This Councell of State hath got all Povver into their hands (a project long laboured) and novv their next motion vvill be (*pretending eaſe to the People*) to Diſſolve this Parliament.

10. *The Petitioners complaine, that in order to ſettle their Tyranny, the Councell of Officers inſiſted upon it,* That a motion ſhould be made to the Houſe of Commons, to enable them to put to death by Martiall Lavv all ſuch as they ſhall judge by Petitions, or othervviſe to diſturbe the preſent proceedings, vvhether Members of the Army, or not. And vvhen it vvas urged, *That the Civill Magiſtrate ſhould doe it:* it vvas anſvvered. * *They could hang tvventy ere the Magiſtrate could hang one.* The prayer of their Petition is:

* The ſaying of Col. *Hevvſon* the one-eyed Cobler. See Hunting the Foxes. *p.* 10.

1. *That the Self-denying Ordinance be obſerved.*

2. *That they would conſider hovv dangerous it is, to continue the Higheſt Military Commands ſo long in the ſame Perſons, eſpecially acting ſo long diſtinct, and of themſelves, as thoſe novv in being have done,*

done, and in ſuch extraordinary vvaies, vvhereunto they have accuſtomed themſelves, vvhich vvas the originall of moſt Tyrannies.

3. *That they would appoint a Committee of Parliament-men, to hear, and determine all controverſies between Officers and Officers Officers, and Souldiers: To mitigate the rigour of Martiall Law, and to provide it be not executed upon any, not members of the Army.*

4. *That they will open the Preſſes.*

5. *That they will diſſolve this Councell of State, threatning ſo manifeſt Tyranny.*

6. *That they will ſeverely puniſh all ſuch as acting upon any Order, Ordinance, or Act of Parliament, ſhall exceed the power conferred on them.*

After this, came forth *a ſecond part of Englands new Chaines diſcovered*, ſetting forth the hypocriſie and perfidiouſneſſe of the Councell of the Army and the Grandees, in cheating all Intereſts, King, Parliament, People, Souldiers, City, Agitators, Levellers, &c. vvhich tells you, *That the Grandees walke by no principles of honeſty or Conſcience*, but (as meer Polititians) are governed altogether by occaſion as they ſee a poſſibility of making progreſſe to their Deſignes. vvhich courſe of theirs, they ever termed. *A waiting upon Providence*, that under colour of *Religion* they might deceive the more ſecurely. It tells you, their intent is to Garriſon all great Tovvns, to break the ſpirits of the People vvith oppreſſion and poverty. It farther Declares, that theſe Grandees judge themſelves looſe, vvhen other men are bound; all Obligations are to them Tranſitory and Ceremoniall; and that every thing is good and juſt as it conduceth to their Intereſts. That the Grandees never intended an Agreement of the People, but onely to amuſe that party, vvhilſt they haſtily ſet up a Councell of State to eſtabliſh their tyranny; that to prepare the vvay to this, they broke the Houſe of Commons, tooke avvay the Houſe of Lords, removed the King by an extrajudiciall vvay of proceedings, and erected ſuch a Court of Iuſtice as had no place in the Engliſh Government. That the remainder of the Houſe of Commons is become a meer channell through vvhich is conveyed all the Decrees and Determinations of a private Councell of ſome fevv Officers. All theſe, and the Votes, *That the Supreme Power is in the People, and the Supreme Authority in the Commons their*

125. A ſecond part of *Englands* Nevv Chains.

their Repreſentative, vvere onely in order to their Intereſts of *will* and *power*. That they place their *ſecurity* in the *diviſions* of the People. That if the preſent Houſe of Commons ſhould never ſo little croſſe the ambition of theſe Grandees, they vvould ſhevv no more modeſty to them than they have done to the excluded Members: And ſo it concludes vvith a Proteſtation againſt their breaking the Faith of the Army vvith all Parties, their diſſolving the Councell of Agitators, and uſurping a povver of giving forth the ſenſe of the Army againſt the Parliament and People, againſt their *ſhooting to death the Souldier at VVare*, and their cruelties exerciſed upon other Perſons, to the debaſing of their Spirits, and thereby nevv-moulding the Army to their Deſignes: againſt their playing faſt and looſe vvith the King and His Party till they had brought a nevv and dangerous VVarre upon this Nation. They alſo proteſt againſt their diſſembled Repentances, againſt their late extraordinary proceedings in Bringing the Army upon the City, (to the ruine of Trade) their breaking the Houſe of Commons in pieces, vvithout Charging the Members particularly, and then judging and taking avvay mens lives in an extraordinary vvay, as done for no other end but to make vvay for their ovvne abſolute Domination. They alſo proteſt againſt the Election and eſtabliſhment of thoſe High Courts of Iuſtice, as unjuſt in themſelves, and of dangerous precedent in time to come; as likevviſe againſt the Councell of State, and putting ſome of themſelves therein, contrary to their ovvne Agreement. They alſo proteſt againſt all other the like Meetings of thoſe officers, that on Thurſday, 2. *Feb.* Voted for ſo bloody a Lavv, as to hang vvhom they ſhould judge diſturbed the Army, as having no povver either by ſuch Councels to give the ſenſe of the Army, or to judge any Perſon not of the Army, or to doe any thing in reference to the Common-vvealth.

See the Hunting of the Foxes, &c. *p.* 6, 7, 8.

Returne to ſect. 2. & 5.

126. The Hunting of the Foxes from *Tryplo* and *Newmarket* by 5 ſmall Beagles, *p.* 8.

About this time alſo became publique a pretty Book, entituled [*The Hunting of the Foxes from New-market and Triploe to VVh'te-hall by 5 ſmall Beagles*,] vvhich tells you, That the Grandee-Officers of the Army to keep the Souldiers quiet did formalize about an Agreement of the People vvhilſt they carried on their platforme of abſolute tyranny (long ſince hatched by *Ireton*) by erecting *a Councell of State*: no ſooner vvas this monſter

borne,

borne, but it devoured half the Parliament of *England*, & now it is adorning it ſelf with Regall magnificence, and majeſty of courtly Attendants, and like the 30 Tyrants of *Athens*, to head it ſelf over the People; this is, and yet this is not our new intended King, there is a King to ſucceed, this is but his Viceroy. O *Cromwell!* whither art thou aſpiring? the word is already given out amongſt their Officers, *That this Nation muſt have one prime Magiſtrate or Ruler over them, and that the Generall hath power to make a Law to bind all the Commons of England:* This was moſt daringly and deſperately avowed at *White-hall*, and to this temper theſe Court Officers are now a moulding: He that runs may read & fore-ſee a new Regality, thus by their Machivilian pretences & wicked practiſes, they are become Maſters & Uſurpers of the name of the Army, & of the name of the Parliament, under which Viſors they have levelled & deſtroyed all the Authority of this Nation; for, the Parliament indeed & in truth is no Parliament, but a Repreſentative Glaſſe of the Coūcell of Warre; and the Councell of Warre but a Repreſentative of *Cromwell*, *Ireton*, and *Harriſon:* and theſe are *the All in All of the Nation*, which under the guiſes and names *of Parliament*, *Army*, *Generall Councell*, *High Court*, and *Councell of State*, play all the ſtrange pranks that are played. And further, *p.* 13. The conclave of Officers have ſucked in the venome of all former corrupt Courts and Intereſts, the *High Commiſſion*, *Starre-Chamber*, *the Houſe of Lords*, *the King and his privy Councell*, are all alive in that Court called, *The Generall Councell of the Army.* 1. The *King* ſtood upon it, *That He was accountable to none but God, that He was above the Parliament and People;* and to whom will theſe men be accountable? to none on earth: and are they not above the Parliament? they have even a Negative Voice thereover, formerly the Commons could paſſe nothing without the Houſe of Lords, and now they dare paſſe nothing without the concurrence of the conclave of Officers: we were formerly ruled by *King*, *Lords*, *and Commons;* now by a *Generall*, *Court Martiall*, *and Houſe of Commons:* what is the difference? the Lords were ruled thoſe few they left ſitting to unvote in a thin Houſe, what was voted in a full Houſe; this is more than to uſurp a Negative Voice over them: returne to ſect. 18. 23. 28.

The Houſe by Vote, 5. *Dec.* 1648 voted, *the King's Conceſſions a ground, &c.* And the Army ſecured & expelled 250. Members for uſing liberty to vote according to their conſciences, and over-

not Members both of the House of Peers, and of the House of Commons, but the Officers, (our martiall Lords) are Members both in the House, or Councell of Officers, and in the House of Commons, we have not the change of a Kingdome to a Common-wealth; we are onely under the old cheat, *A transmutation of Names*, but with the addition of *new Tyrannies*, for *casting out one uncleane Spirit, they have brought with them in his stead seven other uncleane Spirits more wicked than the former, and they have entered in and dwell there, and the last state of this Common-wealth is worse than the first.* Lastly, they set downe *some illegall proceedings and Examinations before the Councell of Warre, exceeding the High Commission, and Starre-Chamber.*

127. The Authors censure of the Levellers.

These three Books shew the late endeavours of the *Agitators*, and that *party* which the *Grandees* politickly miſ-call (to cast an *odium* upon them) *Levellers;* they are the trueſt Assertors of *humane liberty*, and the most constant and faithfull to their Principles, & party of any in the Army; & though they have many redundancies and superfluous Opinions fit to be pruned off by conversing with discreet honest Men, or rather by a discreet & just publique Authority, (which I am confident is feasible, since *their principles* concenter in the *publique*, not in their owne *private Interest and Opinions*, and are no otherwaies changable than conduceth with the emergent occasions of the Commō-wealth) yet they are but like the water-boughs of a healthy fruit Tree, rather troublesom than dangerous, whereas the designes of their Antagonists (like rocks under water, or poyson in well-cooked meat) destroy before they are discovered.

128. The Authors censure of His Majesties *Posthumus* worke, entituled. (*The Pourtraicture of His Sacred Majesty in His Solitudes and Sufferings.*)

About this time arose a Phœnix out of *His Majesties* Ashes, that most excellent Issue of His Brayne, entituled, [THE POURTRAICTURE OF *HIS SACRED MAIESTY* IN HIS SOLITUDES AND SUFFERINGS.] A Book full fraught with *Wisdome, Divine and Humane*, shewing Him to be *more than Conquerour* of His Enemies in His rare *Christian patience and charity;* the very reading of it *aggravateth our losse* of so Gracious and excellent a *Prince*, that had learned the whole method of *humane perfection* in the schoole *of adversity. Herod* and his *Iewes* never persecuted *Christ* in his swadling-clouts with more industrious malice, thenth e Antimonarchicall *Independent Faction*, this

this Book in the Preſſes & Shops, that ſhould bring it forth into the world, knowing that as the *remembrance of Heaven ſtrikes a horror into us of Hell*, So *the contemplation of his Vertues will teach us to abhorre their vices.*

129. The forme of VVrits for Elections changed.

March 8. 1648. The Commons aſſented to a *new Forme* of a Writ for *election of Knights and Burgeſſes for the Parliament.*

But three dayes before it was reported to the Houſe from the Councell of State, what number of Horſe & Foot they thought fit to be kept up for the ſervice of *England* and *Ireland*, and the Monthly charge, which eſtimated comes to 160000l. *per menſem.* You ſee we are likely to finde theſe our new Lords ſuch gracious Maſters to us, that (*as the ſecond part of Englands new Chaines* ſaith) *We ſhal have Taxes, though We have neither Trade nor Bread.* In the Earle of *Eſſex* time (when the Warre was at the higheſt) the Monthly Tax came but to 54000l. a Month, yet had we then ſeven or eight Brigades beſides his Army and Garriſons: but that the Faction of Saints may carry on the worke of a thorow Reformation in our purſes, as well as they have done in the Church & Common-wealth, they firſt raiſed the Tax to 60000l. a Month for *England*, beſides 20000l. a Month pretended for *Ireland* (but I believe little of it ſlips through their ſanctified fingers to go thiter.) And now (to ſhew they can uſe double dealing againſt the Ungodly) they would double the ſumm from 80000l. to 160000l. a Month, this is to breake our hearts with poperty, and make them take what impreſſions of ſlavery they pleaſe to ſet upon them; this Conventicle of State will engroſſe all the Coyne & Treaſure of the Land into their owne hands, & then ſubdue us therewith, & make us (like ſlaviſh *Aegyptians*) *ſell our Selves and our Lands for Bread, or money to buy Bread*, when (that inſeparable companion of a long warre) *Famine* approacheth, which their barbarous and illegall *Sequeſtrations* (unſtocking mens Farmes and laying them waſt) will inevitably bring upon us; they have more hope to ſubdue and leſſen the number of their Oppoſites *by famine and Want, than by the Sword*; in order to which, they have deſtroyded the Trade of the City, & undone multitudes of Trades-men, who being diſabled to pay their Taxes, the Army cauſe all their Arreares to be leavied upon the City by a new Tax upon the reſt of the Inhabitants & the Out-

105. A nevv eſtabliſhment for the Army reported to the Houſe from our nevv Maſters the Councell of State.

landlords; and when *Cromwell* was told, *this would undoe the City*, He answered, *It was no matter, the more were undone, the more would clap Swords to their sides and come into the Army*: you see Souldiery is intended to be the chief Trade.

131. An Act for Abolishing the Kingly Office, &c.

March 17. 1648. The empty House of commons in farther prosecution of their said Designe, and to please their Masters of the Army, passed, printed, and published in the forme & style of a Statute this Paper following: entituled,

An Act for the Abolishing the Kingly Office *in* England, Ireland, *and the Dominions thereto belonging.*

Since by the law, the Crovvne cures all defects; hovv can the King's blood be attainted?

WHereas Charles Stuart *late King of* England, Ireland, *and the Territories and Dominions thereunto belonging, hath by Authority derived from Parliament, been, and is hereby declared to be justly condemned, adjudged to die and put to death, for many treasons, murthers, and other hainous offences committed by him, by which Judgement he stood and is hereby declared to be attainted of High Treason, whereby his Issue and Posterity, and all others pretending Title under him, are become uncapable of the said Crowns, or of being King or Queen of the said Kingdome or Dominions, or either or any of them:*

Bee it therefore Enacted and Ordained, and it is Enacted, Ordained, and Declared, by this present Parliament, and by Authority thereof, That all the People of England *and* Ireland, *and the Dominions and Territories thereunto belonging, of what degree or condition soever, are discharged of all Fealty, Homage and Allegiance which is or shall be pretended to be due unto any of the Issue and Posterity of the said late King, or any claiming under him; and that* Charles Stuart *eldest Sonne, and* James *called* Duke of Yorke, *second Sonne, and all other the*

VVe have svvorn faith & Allegiance to Kt *bards* the First, His lavvfull Heyres & Succeſſors, and our Vovv is recorded in Heaven from vvhich no povver on earth can absolve us. See the Oathes of Allegiance, Obedience, and Supremacy. The Statute of Recognition, 1. *Iac.* But the Commons are novv so Supreme, as in imitation of the Pope to bring this Clause in practise, *Licet de jure non possumus, tamen pro plenitudine potestatis nostræ volumus, &c.*

Issue

Iſſue and Poſterity of him the ſaid late King, and all and every perſon and perſons pretending Title from, by, or under him, are and be diſabled to hold or enjoy the ſaid Crown of England *and* Ireland, *and other the Dominions thereunto belonging, or any of them; or to have the Name, Title, Stile or Dignity of King or Queen of* England *and* Ireland, *Prince of* Wales, *or any of them; or to have and enjoy the power and Dominion of the ſaid Kingdoms and Dominions, or any of them, or the Honors, Manors, Lands, Tenements, Poſſeſſions, and Hereditaments belonging or appertaining to the ſaid Crowne of* England *and* Ireland, *and other the Dominions aforeſaid, or to any of them; or to the Principality of* Wales, *Dutchy of* Lancaſter *or* Cornwall, *or any or either of them, Any Law, Statute, Ordinance, Vſage or Cuſtome to the contrary hereof in any wiſe notwithſtanding: And whereas it is and hath been found by experience, that the Office of a King in this Nation and* Ireland, *and to have the power thereof in any ſingle Perſon, is unneceſſary, burthenſome and dangerous to the liberty, ſafety and publique intereſt of the people, and that for the moſt part, uſe hath been made of the Regall power and prerogative, to oppreſſe, impoveriſh and enſlave the Subject; and that uſually and naturally any one perſon in ſuch power, makes it his intereſt to incroach upon the juſt freedome and liberty of the People, and to promote the ſetting up of their owne Will and power above the Lawes, that ſo they might enſlave theſe Kingdoms to their owne Luſt: * Be it therefore Enacted and Ordained by this preſent Parliament, and by Authority of the ſame, That the Office of a* King *in this Nation, ſhall not henceforth reſide in, or be exerciſed by* any one ſingle Perſon; *and that no one perſon whatſoever, ſhall, or may have, or hold the Office, Stile, Dignity, Power or Authority of* King *of the ſaid Kingdoms and Domini-*

All our Lawes cut off by the *non-ſubſtante* of an eyght part of the Houſe of Commons ſitting under a force.

After almoſt 1000. years experience it now found to be dangerous.

The Engliſh were never one half-quarter ſo much enſaved ſince *William* the *Conqueroure* ſubdued them, as they have been ſince *Oliver* the Brewer ſubjugated them.

* But in a Councell of State of forty Tyrants ſitting under the protectiō and awe of *Oliver*.

ons, or any of them, or of the Prince of Wales, *Any Law, Statute, Vſage or Cuſtome to the contrary thereof in any wiſe notwithſtanding. And it is hereby Enacted, That if any perſon or perſons ſhall endeavour to attempt by force of Armes, or otherwiſe, or be ayding, aſſiſting, comforting or abbetting, unto any perſon or perſons that ſhall by any waies or meanes whatſoever, endeavour or attempt the reviving or ſetting up againe of any pretended Right of the ſaid* Charles, *eldeſt Sonne to the ſaid late King,* James *called* Duke of Yorke, *or of any other the Iſſue and Poſterity of the ſaid late* King, *or of any perſon or perſons claiming under him or them, to the ſaid Regall Office, Stile, Dignity, or Authority, or to be Prince of* Wales; *or the promoting of any one perſon whatſoever, to the Name, Stile, Dignity, Power, Prerogative or Authority, of King of* England *and* Ireland, *and Dominions aforeſaid, or any of them; That then every ſuch offence ſhall be deemed and adjudged* High Treaſon, *& the Offenders therein, their Counſellors, Procurers, Ayders and Abettors, being convicted of the ſaid Offence, or any of them, ſhall be deemed & adjudged Traytors againſt the Parliament and People of* England, *and ſhall ſuffer, loſe and forfeit, and have ſuch like & the ſame paines, forfeitures, judgements and execution, as is uſed in caſe of High Treaſon: And whereas by the abolition of the Kingly Office provided for in this Act, a moſt happy way is made for this Nation (if God ſee it good) to returne to its juſt and antient right* of being Governed by its owne Repreſentatives or Nationall meetings in Councell *, *from time to time choſen and entruſted for that purpoſe by*

High Treaſon is what theſe Legiſlative Thieves liſt to make it, an Arbitrary crime, notwithſtanding the Stat. 25 Ed 3. for limiting & aſcertaining of Treaſons, for ſecurity of the People. *Tiberius* and *Nero's* daies are fallē upon us; of which *Tacitus. Ingens crimen divitiæ; & complementum omnium accuſationum, læſæ majeſtatis.*

* When was *England* governed by their owne Repreſentative? or had any other reglimenr then Kings? But what the Legiſlative Conventicle declares, we muſt believe though contrary to our knowledge. They will lead our faith and reaſon in a ſtring, or have our necks in a halter. A period to this Parliament, and leave the Supreme power in the Councell of State, a deſigne long ſince attempted. See 1 and 2 part of *Englands Nevv Chaines*, and the *Hunting of the Foxes*. No obedience is due by Lavv to them, vvhich takes no notice of this forme of Government.

the

the People; *It is therefore Resolved and Declared by the Commons assembled in Parliament, that they will put a* period to the sitting of this present Parliament, *& dissolve the same so soon as may possibly stand with the safety of the people that hath betrusted them, and with what is absolutely necessary for the preserving and upholding the Government now setled in the way of a Common-wealth; and that they will carefully provide for the certain chusing, meeting and sitting of the next and future Representatives, with such other circumstances of freedom in choice and equality in distribution of Members to be elected thereunto, as shall most conduce to the lasting freedome and good of this Common-wealth: And it is hereby further Enacted and Declared, notwithstanding any thing contained in this Act, no person or persons of what condition and quality soever, within the Common-wealth of* England *and* Ireland, *Dominion of* Wales, *the Islands of* Guernsey, *and* Jersey *& Towne of* Berwick *upon* Tweed, *shall be* discharged from the obedience and subjection *which he and they owe to the Government of this Nation, as it is now Declared, but all and every of them shall in all things render and performe the same, as of right is due unto the Supreme Authority hereby declared to reside in this and the successive Representatives of the People of this Nation, and in them onely.*

About the same time they passed another Act, for Abolishing the House of Peers, to this purpose.

112. An Act for Abolishing the House of Peers.

More New lights, new discoveries made by forty or fifty *Ignes fatui*. grosse fiery Meteors, remaining in the Heat of Commons.

THe Commons of England *assembled in Parliament, finding by too long experience that the House of Lords is useless and dangerous to the People of* England *to be continued, have thought fit to Ordaine and Enact, and be it Ordained and Enacted by this present Parliament, and by the Authority of the same, That from henceforth the House of Lords in Parliament shall be, and is hereby wholly abolished and taken away, and that the Lords shall not from henceforth meet, or sit in the said House called* the Lords House, *or in any other House or place whatsoever, as a House of Lords; nor shall sit, vote, advise,*

adviſe, adjudge, or determine of any matter or thing whatſoever, as a Houſe of Lords in Parliament. Nevertheleſſe it his hereby Declared, That neither ſuch Lords as have demeaned themſelves with honour, courage, Fidelity to the Common-wealth, nor their Poſterities who ſhall ſo continue, ſhall be excluded from the publique Councels of the Nation, but ſhall be admitted thereunto, and have their free Vote in Parliament if they ſhall be thereunto Elected, as other Perſons of intereſt elected and qualified thereunto ought to have: And be it farther Ordained and Enacted by the Authority aforeſaid, that no Peere of this Land not being Elected, qualified, and ſitting in parliament, as aforeſaid, ſhall claime, have, or make uſe of any Priviledge of Parliament, either in relation to his perſon, quality or eſtate, any Lawes, Vſage or Cuſtome to the contrary notwithſtanding.

* 133. A Declaration of the Commons, to ſhew the Reaſons of their ſaid proceedings. The State is Free, but the People Slaves; as a Galley is free, but the Rowers Slaves. 1 part. 72. 73. See theſe Books (*A full Anſwer to an infamous Pamphlet, entituled, A Decl: of the Commons of* England.) [*The Charge againſt the King diſcharged.*) (*The Royall and Royaliſts Plea,*) (*King* Charles *vindicated, &c.*) And His Maj. laſt Book, or *Pourtraiture.* & His Maj: *Gracious Meſſages for Peace.*

And to leſſen the amazement of the People, the ſame day they paſſed and Ordered to be printed a Booke, called, [*A Declaration of the Parliament of* England, *expreſſing the grounds of their late proceedings, and of ſetling the preſent Government in the way of a Free-State:*] when they formerly paſſed the 4. Votes for *no more Addreſſes* to our late King, they ſeconded it with a Declaration, *to ſhew the Reaſons of thoſe Votes*, wherein they ſet forth no new matter but what they had formerly in parcels objected againſt Him; and yet they have ſince that time made Addreſſes to him, & both taken & cauſed others to take the Oaths of Allegiance & Supremacy, & the Proteſtation & Covenant *to defend His Perſon and Authority, &c.* And in this Declaration there is no new objection of moment, but what is conteined in the former Declarations againſt Him, and as I looked upon the *firſt* Declaration as a *Prologue*, ſo I looke upon this *laſt* as the *Epilogue to His Majeſties Tragedy.* The whole matter of charge in both of them hath been ſufficiently Anſwered in ſeverall Books, and either confuted or juſtified, to which I refer the Reader; whom I will only trouble with ſome few ſhort Obſervatiõs of my owne upon it: (*p.* 5.) The Parliament (in imitation of their Maſters, the Councell of Officers) pretend *a neceſſity to change the fundamentall Government into a Free-State, to prevent Tyranny, Injuſtice, and War, &c.* (I doubt rather to promote them.) It affirmeth, (*pag.* 15, 16. *That Offices of Inheritance are forfeited by Breach of Truſt;*

Truſt, (a condition annexed to every Office) and ſeems to imply as much of *the Kingly Office*: but this Pen-man had forgot, that by the Lavv *the Crowne takes away all defects*, and *the King being Supreme Head and Governour over all Perſons, and in all Cauſes*, it vvere abſurd to make Him accountable to any Authority; for in ſuch caſe, that Authority vvould be Supreme to Him, and ſo erect tvvo Supremes one jarring and interferring vvith the other, vvhich in Lavv and Policy is as abſurd as to ſuppoſe tvvo Almighties or Infinities in Divinity, vvhich cannot be, for that one Infinity vvould terminate another: *Impoſsibile eſſe plura Infinite, quoniam alterum eſſet in altero finitum*, ſaith *Cuſanus*. (*pag.* 16.) The Declarers play the Orators in behalf of the felicity of Government *by Free-States*, rather than *by Kings and Princes*. This is a ſpacious field to vvalk in, I vvill onely cite ſome learned Authors living in Republiques of a contrary opinion, and ſend my Readers to them for their Arguments. It applauds the *proſperity* and *good Government* of the *Switz*: vvhich (I think vvas never commended before) a groſſe-vvitted People, living in a confuſed vvay of Government, vvhere virtue and induſtry find no revvard, the Rich become a daily pray to the Poore, and their popular Tribunes, vvho uphold their credits by calumniating the vvealthy, and confiſcating (or ſequeſtring) their Eſtates, the beſt vvealth of this Nation is Penſions from Neighbour Princes, to vvhom they let their Bloud to Hire, and become Mercinaries many times to the extreame dammage and (if their Country vvere vvorth ſubduing) danger of the State. For *Venice* it is *an Ariſtocracy* (if not *Olygarchy*) of many *petty Kings*, ſo burdenſome to all their Subjects upon *Terra firma*, that they dare not truſt them vvithout *Citadals* to keep them under; they never confide in any of their number or Natives to be Comander in Chief of their Land Forces) fearing to be tyrannized over by a *Cromwell* or an *Ireton*, or by ſome property ſubordinate to them in all but Title. The *Morlachy*, and many Inhabitans of *Dalmatia*, and *Candia*, have lately preferred the *Turkiſh Government* before theirs. As for the *Low Countries*, (their neereſt example) peruſe *Bernavelt's Apology*, and many good Hiſtories. For *Rome*, from their *Regifugium*, they vvere never free from Civill VVarres, ceceſſious Tumults, and changes of Government; firſt to Patritian Conſvlls, *Regia pote-*

See *Greg: Tholoſanus, l. pol.* 1. *Keckerin: Siſtema pol. l.* 1. *Contzenii. l politic.* 1. *à cap.* 17. *ad c.* 25 and many good Authors quoted by him. *Mæcenalis orationem ad Auguſtum, apud Dionem Caſſium.*

ſtate; then to promiſcuous Conſuls (*Plebeyans* as vvell as *Patritians*) vvith popular Tribunes to controule them (then to *Decemviri legibus Scribendis*; then to *Tribuni militares conſulari poteſtate*, Dictators upon all ſpeciall occaſions, ſometimes an *Ariſtocracy*, ſometimes a *Democracy*, betvveen tvvo Factions *Patritian* and *Plebeyan*. And never could that unhappy Idoll of the multitude [*Liberty*] find any time of ſetled reſt and Government untill their giddy Republique vvas overthrovvne by *Iulius Cæſar*, and turned into a *Monarchy* by *Auguſtus*, vvhich approved *Cratippus* ſaying, *Vitioſum Reipub: ſtatum exigere Monarchiam*; and then (and not till then) *Rome* came to his height of Glory and Dominion, and continued ſo a long time, ſometimes empayred by the vices of ſome Emperors, and ſometimes repaired by the virtues of others: he that reads *Livy* and *Tully*'s Orations, vvith many other Authors, ſhall find hovv infinite corrupt the People vvere, both in making and executing Lavves, in diſpenſing Iuſtice both Diſtributive and Commutative; vvhat Complaints, that their *comitia* vvere *venalia*; vvhat Bulvvorks they vvere faine to erect againſt the ambition and covetouſneſſe of their Great men; *Leges Ambitus*, *leges Repetundarum peculatus*; all to no purpoſe: the great abuſe of Solicitors and Vndertakers in every *Trybeſto contracte*, for ſuffrages: the Domeſtick uſe of their *Nomenclators*, their Prehenſations, Invitations, Clientſhips; their kiſſings and ſhaking hands (even from the greateſt Perſonages) proſtituted to every Cobler and Tinker; their coſtly publique Shevves and ſpectacles to vvoe the Rabble; he that reads obſervingly ſhall find that *ambition* and *covetouſneſſe* (nurſes of all corruption) vvere the beſt part of the vviſdome and induſtry of that *Republique* untill it came to be *a Monarchy*, and ſhall farther find, that thoſe corrupt manners and cuſtomes vvhich the People (from the higheſt to the lovveſt) had contracted during the ſeverall licentious Alterations of their Common-vvealth, from one forme of Republique to another: vvere (like a ſecond nature) not to be corrected by the better diſcipline of *a Monarchy*, and (at laſt) occaſioned the ruine of that *Monarchy*, together vvith the deſolation of that Nation, vvhich ſhevves, *that Monarchy* (vvith vvhich their Nation began) *was their naturall and genuine Government*, vvhen it could not be taken avvay *ſine interitu ſubjecti*, vvithout the

See ſome Authorities cited *verbatim* in the firſt Page.

the ruine of the vvhole ſubject matter. (*p.* 11.) It is ſaid, *It hath been lately computed, that the Court purveyances* (notvvithſtanding many good Lavves to the contrary) *coſt the Country more in one yeare, than their Aſſeſments to the Army*; vvhat? above 100000l. a month, vvhen the charge of the KING's Houſe-keeping came but to 500001. a yeare: (I ſpeake not of VVages and Penſions) I knovv not vvho ſhould make this computation, unleſſe old Sr *Henry Vane*, and his Man *Cornelius Holland*, (the latter of vvhich vvas turned out of his Office in *the Green-cloth* for abuſing his Place) not in vvhoſe time of employment (unleſſe their ovvne) ſuch prodigious abuſes ſhould happen. (*p.* 19.) It is ſaid, *The legall and juſtifiable Revenue of the Crowne fell ſhort of* 100000l. *per annum*: I perceive this is all the Account the Common-vvealth is likely to have from the Committee of the Kings, Queens, and Princes Revenue, nor doe I knovv vvhat a pruning hooke that phraſe (*legall Revenue*) may prove: But I conceived all that Q. *Elizabeth*, the Kings Father and Himſelf received, had been His Revenue *de jure*; I am ſure it vvas *de facto*, and the Parliament in their Declarations promiſed *to ſettle a better Revenue upon Him than any of His Anceſtors enjoyed*: neither did this, nor any former Parliament complaine, *that His Purſe was growne too full, or His Revenue too fulſome*: and if the Committee of the Revenues had enjoyed no more but their ovvn legall and juſtifiable Revenue, ſo many of the KING's Servants and Creditors had not ſtarved forvvant of their ovvne. (*p.* 19.) They very much aggravate *Monopolies*, *Patents*, and *Projects*: I vvonder they ſuffer ſo many Men guilty in that kind to ſit in their Houſe, old Sir *Henry Vane*, Sir *Henry Myldmay*, Sir *Iohn Hypſley*, *Cornelius Holland*, *Laurence VVhytakers*, *&c.* (*p.* 20.) They ſpeake againſt *the Lords Negative Voice*, but not a vvord againſt the Councell of VVarres Negative Voice, vvho march up in hoſtile manner againſt Parliament and City, and ſecure, ſeclude, and drive avvay 250 Members at one time, if they vote any thing contrary to their Intereſt. They ſpeak likevviſe againſt *the Lords Iuditiall power over Commoners*, but have forgot vvhat unjuſt and illegal uſe themſelves attempted to make of the Lords juriſdiction againſt the 11 impeached Members, the 4 Aldermen, and Citizens. (*p.* 21.) They excuſe their receding from their Declaration of *April*, 1646. (they might

The Kings Revenue by a *medium* of 7 years was yearly 700000l.

2 Part of *Englands* New Chaines diſcovered, &c. and the Hunting the Foxes return to ſ. 127.

1 Part. ſect. 45, 46, 47, 48, 49, 50, 51, 52, 53, 54.

have minded you of a Vote of a later Date, had it made for their turne) *for Governing the Kingdome by King, Lords, and Commons.* To this it is ſaid, *the King nor Lords could take no advantage thereof being a contract they never conſented unto*, indeed it vvas never preſented to them; but I ſhall aske vvhether the people may not take advantage thereof? for vvhoſe ſatisfaction this vvas Declared, (a generall grudge being then amongſt them) *that the Parliament and Army would ſubvert the antient Fundamentall Government*, (*p.* 22, 23.) They anſvver an Objection, *that theſe great matters ought to be determined in a full Houſe, not when many Members are excluded by force, and the priviledges ſo highly broken, and thoſe who are permitted to ſit, doe act under a force.* To this is anſvvered (hovv truly let any man that hath read our Hiſtories tell) That fevv Parliaments have Acted but ſome force or other hath been upon them, (I vvonder they did not argue thus for the ſilly *Tumult of Apprentices*) for Breach of Priviledge of Parliament. They Anſvver, *It will not be charged upon the remaining party, or to have been within their power to prevent it, or repaire it*, (to this I reply, that it is doubted the remaining party (being the Army party) contrived it in their *Iunto* at *Somerſet-houſe*: for (*p.* 23. it is acknovvledged, *they called and appointed the Army for their Guard*, vvhich vvas not openly done by a full Houſe: it muſt be therefore ſecretly done by a party. See many Reaſons for this conjecture before §. 24. Farther they ſay, *That the ſafety of the Kingdome ought to be preferred before priviledge of Parliament; and that if their Houſe had declined their duty* (*viz.* by not Acting) *they had reſigned up all to ruine and confuſion*: from vvhence ſhould this ruine and confuſion come, but from their ovvne Army, vvhich they perpetuate to eate up the Kingdome; and continue their ovvne *power and profit?* and I vvonder they did not uſe the ſame moderation after that childiſh Tumult of Apprentices, but *Declared all Acts*, &c. *paſſed from* 26 *July* (vvhich day the Tumult began and ended) *to the* 6. *Auguſt, null and void.* And endeavoured to make the very ſitting of the Members and the Citizens obeying to the ſaid Orders (though no Iudges of the force) *Treaſonable:* they deny they ſit novv under a force, the Army being their beſt friends, called by them *for their ſafety.* Indeed it is generally thought the Army and this remnant of the Houſe of Commons,

are

are as good Friends and Brethren as *Simeon* and *Levi*, *Pilate* & *Herod* vvere; and vvere called to ſecure the Members & purge the Houſe: yet if the remaining party ſhould Vote contrary to the Dictates of the Councell of VVar, *Quare*, VVhether they vvill not be uſed as uncivilly as the ſecured Members? nay vvorſe, by being called to account for couſening the State. (*p.* 24.) They ſay, *There is a cleer conſiſtency of our Lawes with the preſent Government of a Republique.* I deſire to knovv vvho by our Lavv can *call* or *hold a Parliament* but *the* KING? vvho is, *Principium*, *Caput*, & *Finis Parlamenti?* vvho is the fountaine of Iuſtice, Honour, Peace, vvhen vve have no King? vvho is Conſervator of the Lavves, and Protector of the People? vvhere is the Supreme Authority? to Vote it (in their ovvne caſe) to be in a Repreſentative of 50 or 60 Commons, vvithout legall proofs or precedents is to lead Mens reaſon captive, as vvell as their Perſons and Eſtates, (to impoſe an implicite faith upon Man, not to uſe diſcourſe and reaſon againſt their Votes, is to take Man out of Man, to deny him his definition, *Animal rationale*) to vvhom doth the Subject ovve Allegiance? and vvhere is the Majeſty of *England* vvhen there is no King? for all Treaſon is, *Crimen læſa majeſtatis*, *contra debitam ligeanciam.* Therefore vvhere (by the knovvn Lavvs) no Allegiance is, there is no Treaſon. Laſtly, if our preſent Lavvs be ſo conſiſtent vvith the Republique, I deſire to knovv vvhy they did not Trie the 4 Lords legally at the Common Lavv by their Peeres, and Sir *Iohn Owen* by a Iury of 12 Men of the Neighbourhood, according to *Magna Charta*, and other good Lavvs? but vvere faine to put a Legiſlative Trick upon them, and erect ſuch a Court for the Triall of them as vvas never heard of in *England* before, nor hath no place in our Government. They conclude (*p.* 26.) *That as they have not intermedled with the affaires and Government of other States*, *ſo* (they hope) *none will intermeddle with them:* This aſſertion is as true as the reſt, it being vvell knovvne, that for about 3 years laſt paſs'd they have boaſted, That they have many Agents in *France*, vvho under colour of Merchandiſe, vent Antimonarchicall & Anarchicall Tenents, and ſovv ſeeds of Popular Liberty amongſt the poore Peaſants and Hugonots of *France*, vvhich they brag proſpered vvell there; their very declared principles and doctrine of ther Pulpits and Army

2 Part of *Englands* New Chaines, and the Hunting the Foxes, &c.

are, *That they muſt break the Powers of the Earth in pieces.* Monarchy muſt dovvn all the vvorld over, firſt in *England*, then this Army muſt put over and manumit the Peaſants of *France*, the Boors of *Germany*, *&c.* And divers of this Party have reported, that *they have ſupplied the Revolters of* France *with money*; their Licenced Nevvs-books are full of this Doctrine, and of many invectives againſt the Tyranny of the *French King*.

134. *Harry Martin's* Iudgement of the King and Kingly Government.

Such vvere their proceedings *againſt the King*, or rather *againſt Kingly Government*, vvhich vvas cut off by the ſame Axe that murthered the King, and vvas (indeed) firſt in their intention, though laſt in execution; as appeareth by *Harry Martin's* Speech in the Houſe upon the Debate, *VVhether a King, or no King? That if they muſt have a King, he had rather have had the laſt than any Gentleman in England?* he found no fault in *His Perſon*, but in *His Office*.

135. The Councell of Officers endeavour to joyn Intereſts with the Papiſts in *England* & *Ireland*.

The KING had offended the Papiſts in the laſt Treaty, by granting ſo much to the Parliament for their ſuppreſſion: The Independents perceiving it, and vvilling to joyne vvith any Intereſt to make good their Deſigne. It vvas propoſed at the Councell of Officers, *That the Papiſts ſhould raiſe and pay about* 10000. *Additionall Forces for this Army, in recompence whereof, all penall Lawes concerning them ſhould be repealed, all Taxes and Contributions taken off, and they to have the protection of this Parliament and Army.* Vnder the ſame notion they endeavoured to joyne Intereſts vvith *Owen Roe Oneale*, that commanded the bloudy Party of maſſacring Iriſh (vvith vvhich they had formerly taxed the King) they ſupplied him vvith Ammunition, and admitted *O Really*, the Popes Iriſh *Nuntio* to a Treaty here in *England*, Sir *Iohn VVynter* vvas taken into imployment, and the Arrears of his Rents gathered for him by Souldiers, to the regret of the Countrey. Sir *Kenelme Digby* had a Paſſe to come into *England*, and came; as vvas foretold by a Letter from an Independent Agent for the Army, from *Paris* to an Independent Member of the Houſe of Commons, a Creature of the Army, bearing Date, 28. *Nov.* 1648. and printed at the latter end of [*The True and full Relation of the Officers & Armies forcible ſeizing of divers eminent Members, &c. VValter Mountague* let forth upon Bayle; vvhat becomes of this Negotiation? and vvhether thoſe that have played faſt and looſe

Owen Roe Oneale.

The Popes *Nuntio*.

vvith

vvith all Intereſts in the Kingdome, have not done the like vvith the Papiſts? I cannot yet learne.

136. Scarcity of Coals how ocaſioned, and why.

This VVinter, Coales (as vvell as other things) had been at exceſſive rates in the City, vvhereby many poor periſhed vvith cold and hunger; vvhat the reaſon thereof vvas (beſides unreaſonable Taxes, Exciſe, and Souldiers quartering in and neer the City) vvas diverſly diſputed: moſt Men imputed the blame to Sir *Arthur Haſlerigge* Governour of *New Caſtle*, vvho (vvithout any publique Authority) preſumed to lay on a Tax of 4s. a Chaldron upon the Coales there; vvhich is eſtimated to amount to 50000l. a yeare; vvhat uſe that Money vvas put to vvas as variouſly vvhiſpered: as likevviſe vvhat deſigne they had in bringing ſo pinching a vvant upon the City? ſome ſaid, it vvas to enforce the poorer ſort into Tumults, and then to charge the vvealthier ſort vvith the crime, and enſnare them; others ſaid, it vvas to caſt an *odium* upon the PRINCE, as if His Ships had kept in the Colliers.

137. The Lo: Mayor ordered to proclaim in perſon the Act for Aboliſhing the Kingly Office, and puniſhed for neglect.

The 23. *March*, 1648. The Commons Ordered, *That the Lord Mayor of* London *in Perſon be required to publiſh and proclaime in the City the aforeſaid Act for diſſolving Kingly Government: and to give an account thereof to the Houſe.* The Mayor refuſing this ſervice, vvas by the Commons called to the Barre, fined 2000l. committed Priſoner to the Tovver, and outed of his Mayoralty; and Alderman *Andrewes* (a Man after their ovvne heart) choſen by a fevv Schiſmaticks in his Place.

138. The Kings, Queens and Princes perſonall Eſtate ordered to be ſold.

Ordered by the Commons (upon a report from the Councell of State) *that Commiſſioners be appointed to make Sale of the Kings, Queens, and Princes Perſonall Eſtate, upon Inventory and Appriſall, for ſatisfaction of all juſt Debts due to well-affected Perſons* (*viz.*: Men of their Faction) *in this Nation, before the beginning of theſe VVarres: But firſt* 30000l. *to be taken out of it for the uſe of this Summers Fleet, and that it be referred back to the* 40 Hogen Mogens, or *Councell of State to conſider what they think fit to be ſold, and what they thinke fit to keep and reſerve for the uſe and furniture of them and their Attendants.* Obſerve, that by that time this gulph is ſtopped, the vvhole remainder to be ſold for payment of Debts aforeſaid, may be vvritten vvith a Cypher.

139. Crown Lands ſhar'd amongſt the Godly.

I heare the Houſe hath given avvay the KING's Houſe, Parks and Honour of *Eltham* to Sergeant *Bradſhaw*, their *quondam* Preſident.

ſident. *Greenwich* to *Bolſtrode VVhitlocke.* The Lyons Skin is novv dividing amongſt the Party. Thus have they killed and taken poſſion: and the King's Revenue hath proved as ominous to Him as *Naboth's* Vineyard vvas to his Maſter.

140. Another Report for an eſtabliſhment for the Army. Diurnall, *Mar.* 30, 31, 1649.

This day another Report vvas made to the Houſe from the Committee of the Army of the particular ſummes to be Monthly leavied in each County, to make up the vvhole ſumme of 90000l. Monthly for the Armies of *England* and *Ireland*, beſides 20000l. *per menſ.* out of Fee-farme Rents.

141. An Order, that no Preacher meddle with State affairs.

28, *March*, 1649. The Commous in purſuit of the advice given them by Monſieur *Paw*, aud according to the example cited by him of the *Low Countries*, Ordered, *That no Miniſter in his Pulpit ſhould meddle with any State affairs:* had this been obſerved from the beginning theſe Pulpit Incendiaries had never kindled a VVar betvveen the King and Parliament.

142. The 5. Lights of *Walton.*

About the beginning of *Lent* laſt, Maſter *Faucett* Miniſter of *VValton* upon the *Thames* in *Surrey*, preached in his Pariſh Church after dinner, vvhen he came dovvne out of his Pulpit it vvas tvvy-light; and into the Church came ſix Souldiers, one of them vvith a Lanthorne in his hand and a Candle burning in it, in the other hand the had foure Candles not lighted: He vvith the Lanthorne called to the Pariſhoners to ſtay a little, for he had a Meſſage to them from God; and offered to go up into the Pulpit, but the Pariſhioners vvould not let him; then he vvould have delivered his errand in the Church, but there they vvould not heare him; ſo he vvent forth into the Church-yard, the people followving him, vvhere he related to them, *That he had a Viſion, and received a command from God to deliver his will unto them: which he was to deliver, and they to receive upon paine of damnation. It conſiſted of* 5 *Lights:*

1. *That the Sabbath was aboliſhed as unneceſſary, Iewiſh, and meerly ceremoniall:* *And here* (quoth he) *I ſhould put out my firſt Light, but the wind is ſo high I cannot light it.*

2. *Tythes are aboliſhed as Iewiſh and ceremoniall, a great burden to the Saints of God, and a diſcouragement of induſtry and tillage: And here I ſhould put out my ſecond light, &c.* as aforeſaid, vvich vvas the burden of his ſong.

3. *Miniſters are aboliſhed as Antichriſtian, and of no longer uſe now Chriſt himſelfe deſcends into the hearts of his Saints, and his*

Spirit

Spirt enlighteneth them with Revelations, and Inſpirations: And here I ſhould have put out my third Light, &c.

4. *Magiſtrates are aboliſhed as uſeleſſe, now that Chriſt himſelf is in purity of Spirit come amongſt us, and hath erected the Kingdom of the Saints upon earth; beſides, they are Tyrants and Oppreſſors of the Liberty of the Saints, and tie them to Lawes and Ordinances, meer humane inventions: And here I ſhould have put, &c.*

5. Then putting his hand into his pocket, and pulling out a little Bible, he ſhewed it open to the People, ſaying, *Here is a Booke you have in great veneration, conſiſting of two parts, the Old and New Teſtament; I muſt tell you, it is aboliſhed: It containeth beggarly rudiments, milke for Babes; But now Chriſt is in Glory amongſt us, and imparts a fuller meaſure of his Spirit to his Saints then this can afford; and therefore I am commanded to burne it before your faces:* ſo taking the Candle out of his Lanthorne, he ſet fire of the leaves. And then putting out the Candle, cryed, *And here my fifth Light is extinguiſhed.*

143. The Earle of *Warwicke's* Commiſſion recalled; and 3 Admirals appointed.

Upon a Report from the Councell of State, the Commons Voted *void* the Earle of *Warwick's* Commiſſion for Admirall, and appointed three Commiſſioners to have and execute the Admirals Place, with 31. a day a piece; a Commiſſion for Martiall Law, and Land Souldiers aborad to keep under the Seamen. The three Admirals are, Col. *Edw: Popham*, Col. *Rob: Blake*, and Col. *Deane*.

144. *Cornwall* turned Preacher.

Sunday after *Eaſter-day*, ſix Preachers militant at *White-hall* tried the patience of their Hearers; one calling up another ſucceſſively: at laſt the Spirit of the Lord called up *Oliver Cromwell*, who ſtanding a good while with lifted up eyes, as it were in a trance, and his neck a little inclining to one ſide, as if he had expected *Mahomet's* Dove to deſcend and murmure in his eare; and ſending forth abundantly the groanes of the Spirit, ſpent an hower in prayer, and an hower and an halfe in a Sermon. In his prayer *he deſired God to take off from him the Government of this mighty People of* England, *as being too heavy for his ſhoulders to beare:* An audations, ambitious, and hypocriticall imitation of *Moſes*. It is now reported of him, that he pretendeth to Inſpirations; and that when any great or weighty matter is propounded, he uſually retireth for a quarter or halfe an hower, and

then returneth and delivereth out the Oracles of the Spirit: ſurely the Spirit of *Iohn of Leyden* will be doubled upon this Man.

145. The laſt Retreat of the faction by H. *Martius* report.

About this time the *Palſgrave* tooke his leave of the Parliament, being much courted and complemented by them, and his 8000l. *per annum*, with all Arreares confirmed to him: ſince his departure *Harry Martyn* (in a jolly humour) was heard to ſay, *If the worſt hapned, and that they ſhould not be able to ſtand their ground in* England, *yet the* Palſgrave *would afford them a place of retreat in the Palatinate*; the ſeeds of theſe Anarchicall, Anabaptiſticall humours (upon the reducing of *Munſter*) ſpread themſelves in *England*, and now have a mind to returne into *Germany* to kindle a fire there.

146. *Io. Lilburne's* third Booke, called, [*The Picture of the Councell of State.*]

About this time *Iohn Lilburne*, and his Company, ſet forth a Book, called, [*The Picture of the Councell of State, &c.*] wherein they ſet forth *the illegall and violent proceedings of the ſaid Councell againſt them in ſeizing upon them with armed Bands of Souldiers, and interrogating them againſt themſelves, &c.* (where they have theſe words) *The Faction of a trayterous Party of Officers of the Army hath twice rebelled againſt the Parliament, and broke them in pieces, and by force of Armes culled out whom they pleaſed, and impriſoned divers of them, and layed nothing to their charge; and have left onely in a manner a few men* (beſides 11 of themſelves, viz: the Generall, *Cromwell*, *Ireton*, *Harriſon*, *Fleetwood*, *Rich*, *Ingolſby*, *Haſlerigge*, *Conſtable*, *Fennicke*, *Walton*, and *Allen* Treaſurer) *of their owne Faction behind them, that will* (*like Spaniel-dogs*) *ſerve their luſts and wills; yea, ſome of the chiefeſt of them*, viz: *Ireton, Harriſon, &c.* yea, Mr. *Holland* himſelf ſtyled them *a Mock-Parliament, a Mock power*, at *Windſor*; yea, it is yet their expreſſions at *London*: And if this be true that they are a Mock-power, and a Mock-Parliament, then. *Quare*, Wether in Law or Iuſtice (eſpecially conſidering they have fallen from all their many glorius promiſes, and have not done any one action that tends to the univerſall good of the people) can thoſe Gentlemen ſitting at *Weſt-minſter* in the Houſe (called, *the Houſe of Commons*) be any other than a factious company of Men, trayterouſly combined together with *Cromwell*, *Ireton*, and *Harriſon*, to ſubdue the Lawes, Liberties, and Freedomes of *England*, (for no one of them

proteſts

proteſts againſt the reſt) and to ſet up an abſolute and perfect tyranny of the Sword, will, and pleaſure, and abſolutely intend the deſtroying the Trade of the Nation, and the abſolute impoveriſhing the people thereof, to fit them to be their Vaſſals & Slaves. And againe, the three forementioned Men, *viz: Cromwell*, *Ireton*, and *Harriſon*, (the Generall being but their ſtalking horſe, and a cypher) and their trayterous faction, having by their wills and Swords got all the Swords of *England* under their command, and the diſpoſing of all the great Places in *England* by Sea and Land, and alſo the pretended *Law-making* power, and the pretended *Law-executing* power, by making among themſelves (contrary to the Lawes and Liberties of *England*) all Iudges, Iuſtices of Peace, Sheriffs, Bayliffs, Committee-men, &c. to execute their wills and tyranny, walking by no limits or bounds, but their owne wills and pleaſures, and trayterouſly aſſume unto themſelves a power to leavy upon the people what money they pleaſe, and diſpoſe of it as they pleaſe, yea even to buy knives to cut the peoples throats that pay the money to them, and to give no account for it till Doomes-day in the afternoone; they having already in their wills and power to diſpoſe of the Kings, Queens, Princes, Dukes, and the reſt of the Childrens Revenue; Deanes and Chapters Land, Biſhops Lands, Sequeſtred Delinquents Lands, Sequeſtred Papiſts Lands, Compoſitions of all ſorts, amounting to Millions of money, beſides Exciſe and Cuſtomes; yet this is not enough, although (if rightly huſbanded) it would conſtantly pay above one hundred thouſand men, and furniſh an anſwerable Navy thereunto: But the people muſt now after their Trades are loſt, and their Eſtates ſpent, to procure their Liberties and Freedomes, be ceſſed about 100000l. a Month, that ſo they may be able like ſo many Cheaters and State-thieves, to give ſix, eight, ten, twelve, fourteen, ſixten thouſand pounds a piece over again to one another, (as they have done already to divers of themſelves) to buy the Common-wealths Lands one of another, (contrary to the duty of Truſtees, who by Law nor equity, *can neither give nor ſell to one another*) at two or three yeares

Maſter *Boone* a Member of the Houſe, lately a Tapſter, hath 6000l. given him.

Sir *Arth: Haſlerig* 3 great Manours, *Biſhops-Aukland*, *Ever-wood*, and another. Col. *Backſter* (the pitifull Thimble and Bodkin Gold-ſmith) bought as much *Biſhops* Lands as coſt 10000l. at two or three years purchaſe, and hath already raiſed his money.

purchaſe. (the true and valuable rate conſidered) as they have already done, and to give 4 or 5000l. *per annum*, over againe to King *Cromwell*, as they have done already out of the Earle of *Worceſters* Eſtate, &c. beſides about 4 or 5l. a day he hath by his Places of Lieut. Generall, and Colonel of Horſe in the Army; although he were at the beginning of this Parliament but a poor Man; yea, little better than a Beggar (to what he is now) as well as others of his Neighbours.

147. A Petition in behalfe of *Io: Lylburne* and his company.

2. *April*, 1649. A Petition ſubſcribed by divers Perſons in behalf of *John Lylburne* and his company, was preſented to the Commons, wherein (amongſt other things) are contained theſe three juſt demands:

1. *That no man be cenſured, condemned, or moleſted, but for the breach of ſome Law firſt made and publiſhed to the People, whereby is avoided that uncertainty and howerly hazard that otherwiſe every man is ſubject to, both in reſpect of his Eſtate, Liberty, and Life.*

2. *That every crime have not onely its penalty annexed, but together therewith the manner and methode of proceedings aſcertained.*

3. *That the execution of Lawes be referred to ordinary Magiſtrates and Officers by Law deputed thereto, and that the Military power be not uſed, but where the Civil is ſo reſiſted, as that of its one ſtrength it is deficient to enforce obedience.*

148. Itinerant Miniſters, an invention to undermine our Orthodox ſetled Miniſters, and infect the people with Schiſmes and Anarchicall principles, ſutable to the many-headed tyranny of the Grandees.

April 12. 1649. It was referred to a Committee *to conſider of a way how to raiſe Penſions and Allowances out of Deanes and Chapter Lands to maintaine ſupernumerary Itinerant Miniſters*, who ſhould be Authorized to go up and downe compaſſing the earth, and adulterate other Mens Pulpits and Congregations, and put affronts and raiſe factions and ſcandals upon ſuch orthodox and conſcientious Miniſters (in order to their Sequeſtration) as cannot frame their Doctrine to the damnable practiſes and Anarchicall principles of the times. Theſe wandering Apoſtles are to preach Antimonarchicall ſeditious doctrine to the people, (ſutable to that they call *the preſent Government*) to raiſe the raſkall multitude and ſchiſmaticall rabble againſt all men of beſt quality in the Kingdome, to draw them into Aſſociations and Combinations with one another in every County, and with the Army againſt all Lords, Gentry, Miniſters, Lawyers, rich and peaceable men, and all that are Lovers of the old Lawes and Government,

vernment, for the better rooting of them out, that themſelves alone may inhabite the earth, and eſtabliſh their new tyranny or Kingdome of the Saints, upon the ruines of our antient Monarchy. Theſe men (like *Balaam*) *ſhall bleſſe and curſe for hire*, and vent State-news, State-doctrine, and poyſon the people with ſuch changeable and various principles as from time to time ſhall be dictated to them by thoſe Pſeudo-polititians as now ſit at the Helme: they ſhall couſen the people with pretended Illuminations, Revelations, and Inſpirations, and powre out all the Vials of Gods wrath amongſt them.

149. *A fraudulent Reconciliation and uniting of Intereſts attempted, with a Mock-faſt for that purpoſe.*

Cromwell and *Ireton*, and their Faction, having formerly deluded all the Intereſts and Parties of this Kingdome, were arrived to that highth of impudence as to endeavour to cheat them all over againe, they had by murdering the King, aboliſhing the Houſe of Lords, putting an execrable force upon the farre major part of the Houſe of Commons, making themſelves and their Party a tyrannicall Councell of State to uſurp the Supreme power and Government, endeavouring *a toleration of all Religions*, attempting to take away Tythes, mocking and then tyrannizing over that part of the Army they pleaſe to miſcall *Levellers*, diſtracted and diſcontented all Parties within the Kingdom, and ſtirred up all the Princes of Chriſtendome to defend the common intereſt of Kings, now controverted in *England*. This cloud threatned to poure downe a new Warre upon them; to provide a remedy therefore for this ſoare, *Cromwell* moved in the Houſe of Commons, *That the Presbyterian Government might be ſetled*, promiſing his endeuours thereto; but whether he meant a Claſſicall or Congregationall Presbytery (which differs little or nothing from Independency) he did not declare: and here lyeth the fallacy, he likewiſe moved, *that the ſecured and ſecluded Members might againe be invited into the Houſe*: they ſent their Agents both Lay-men and Miniſters (amongſt whom Mr. *Marſhall*, *Nye*, *Carrell*, *Goodwin* and *Hugh Peters* were chief) to cajole and decoy the Miniſters, Citizens, and the expulſed Members; with diſcourſes and propoſitions, they told them, The Presbyterians had differed from the King in point of civill Intereſt, which was more irreconcilable than that intereſt of Church-Government, whatſoever ſhew was made to the contrary, (They

See] a Paper, called, *Arguments againſt all Accommodation between the City of* London, *and the engaged Grandees of the Parl: and Army* And, *A ſeaſonable Caution to the City of London*? printed at the latter end of *Relation & Obſervations, Hiſt. & Pol.* &c.

will not endure to heare of the KING's exemplary patience and Chriſtian charity to all; nor of His precepts and ſtrict injunctions to His Sonne of clemency and abſtinency from revenge, contained in His laſt Booke, [*The Pourtraicture of His Majeſty.*] Theſe things will both apologize for our young King, and condemne our bloudy vindicative Saints.) That the Presbyterians as well as the Independents made Warre againſt the late King, brought Him low, and prepared Him to receive his late deadly Blow from the Independents, and therefore the King would looke upon both Parties as equally guilty, and was deeply engaged in point of intereſt to cut off both Parties: Endevouring by theſe diſcourſes to put the Presbyterians into *deſpaire* (their own and *Iudas*'s ſinne) and then to work upon that baſe and cowardly principle of *ſelf-preſervation*, and invite them to joyne with them in point of civill Intereſt and common Defence. But their kindneſs was but like that of a malitious Man, who having plague-ſoars upon him, embraceth his Friend rather to infect than cheriſh him: they know that by ſitting, voting, acting, and complying with them, (whoſe actions the Laws of God and the Land have damned and anathematized with the higheſt condemnation) they ſhould contract the guilt of all their forepaſſed crimes and treaſons; in the meane time the Presbyterians ſhould ſit and act but as a ſuſpected Party, and ſhould be baffled and turned out again when the danger is paſt; the Independents keeping in their owne hands all the power, profits and preferments of the Land, and uſing the Presbyterian party but as Gibeonites, Hewers of wood, and Drawers of water under them; they invited them therefore to ſhare with them in their ſinnes, ſhames, and puniſhments, but would keep *Achans* Wedge and the Babyloniſh Carment (the profit of their crimes) to themſelves: And (as if it were not ſufficient to couſen Man without mocking God) the Houſe of Commons Ordered *a ſtrict Faſt to be kept upon Thurſday*, 19. April, 1649. *as a day of Humiliation to implore Gods forgiveneſſe for the ingratitude of the people, who did not ſufficiently acknowledge with thankefulneſſe Gods great mercies upon this Land in freeing them from Monarchy, and beſtowing liberty upon them, by changing Kingly Government into a Free-State or Republique.* The Faction knew that to partake with them in theſe prayers, was

was to partake of their ſinnes. God deliver us from thoſe deceitfull lips, whoſe prayers are ſnares, whoſe kiſſes prove curſes, and whoſe devotion leads to damnation: Neuer was Faſt injoyned with more ſeverity, nor neglected with more contempt and horror; men ſhunning it like the ſinnes of Rebellion and Witchcraft. Beſides, their conſciences told them, *that they never ſuffered the thouſandth part of the oppreſſions they now groane under.*

150. The jugling deſigne of ſending part of the Army for *Ireland.*

About this time it was debated to ſend Supplies for *Ireland*; the predominant Grandees were deſirous to purge the Army (as they had done the Houſe) and ſend the Levellers (Aſſertors of Liberty) thether: the Levellers were deſirous to keep their ground here, and ſend the more mercinary enſlaving and enſlaved part of the Army: the better to colour the deſigne, *Cromwell* undertooke to be Conductor of this expedition, and light them the way into *Ireland* with his illuminated Noſe: having taken order before hand that his precious ſelfe ſhould be recalled time enongh to keep up his party in *England* from ſinking by his longer abſence, and the better to accommodate the buſineſſe, Lots were ſeverall times caſt what Regiments ſhould goe; but the Lots not falling out to the minds of the Generall Councell of Officers, they caſt Lots againe and againe, untill fortune agreed with their deſires: This being diſcovered, a printed Paper was ſcattered about the ſtreets, 26. *April*, 1649. as followeth:

ALL Worthy Officers and Souldiers Who are yet mindfull that you engaged not as a meer mercinary Army, hyred to ſerve the Arbitrary ends of a Councell of State; but tooke up Armes in Iudgment and Conſcience in behalf of your own, and the peoples juſt Rights and Liberties; you may ſee plainly by the proceedings of Col. Hewſon *with his Regiment that the deſigne of your grand Officers is, to reduce the Army to a meer mercinary and ſervile temper, that ſhall obey all their commands, without ſo much as asking a queſtion for Conſcience ſake. Intending by this blind obedience in you to make you be whatſoever they ſhall find requiſite to eſtabliſh their owne abſolute power over the Common-wealth yea though it be to cut off your beſt friends, or perpetuate this their owne Parliament and Councell of State, things ſo evidently deſtructive to your owne and the peoples juſt Rights and Liberties as nothing can be more.*

And

And for compaſſing whereof, you know they have long ſince diſſolved the Agitators, and erected a Councell amongſt themſelves, by which they have moulded the Parliament and a Councell of State to their owne wills; both which, are to be as aſcreen between the People and your Grandees, to make the world believe, they doe nothing but by order of Parliament, and Councell of State, when they order all things themſelves; and indeed are confederated together to defend and protect each others in their defrauding and enſlaving the Common-Wealth.

This they have long aymed at, but cannot poſſibly effect it, untill they reduce the Army to a ſervile and baſe temper, which they have been laboring to bring to paſſe a long time; as by picking quarrels with moſt Officers and Souldiers, that have manifeſted any ſence of Common Right, and ſo vexing them and wearying them out of Troops and Companie. And (you know) they have been more than once diſbanding twenty of a Troup, upon pretence of eaſing the publique charge: all their miſchief being ever done, after either faſting, and prayer, or upon ſome very ſpecious pretence; but the care and reſolution of the honeſt Officers and Souldiers ever prevented this.

But now the buſineſſe for Ireland (*it ſeems*) *muſt doe the deed; that being a ſervice that muſt be preferred before the ſetling of the Liberties and Freedomes of this Nation: and all that are not for this ſervice muſt be eſteemed no better than Enemies and Traytors; and therefore an* Ahab-like *Faſt goeth before the Lots are caſt: and Col.* Hewſon *falls to worke and diſbands all thoſe Souldiers and Officers that refuſed to engage for the ſervice of* Ireland, *before the Liberties of* England (*which we never trod under foot*) *be reſtored to the people.*

The end of this being to be a leading caſe to all other Regiments both Horſe and Foot; not that they certainly intend for Ireland, *but by ſuch meanes to be rid of all ſuch as are apt to deſire to be ſatisfied in their Conſciences of the juſtice of the Cauſe before they engage in the killing and ſlaying of men any more; or before they ſee ſome fruits anſwerable to the bloud that hath been ſpilt.*

And being rid of this kind of Officers and Souldiers, then to fill the Regiments as this Hewſon *doth, with ſuch ignorant, needy, or ſervile men as theſe miſerable times (through loſſe of Trade) have begotten.*

And this being done, then to make more ſtrict enquiry after this

ſort

ſort of people in the Army, and all other places, ſuppreſſe Meetings, and if that will not doe, then to diſarme all from whom they ſuſpect the leaſt repining or oppoſition.

And therefore all thoſe Officers and Souldiers, and all people in all places are concerned in a very high nature, even as much as the freedome of the Nation is worth; yea, as they tender the good of their VVives, Children, Families and Poſterity, to venture their lives and all they have, to make oppoſition againſt thu the greateſt miſchiefe that ever was attempted; the greateſt Treaſon that ever was committed againſt the liberties of the people: and not to ſtand any longer in a miz-maze between hope and feare; for if this deſigne take place, your great Officers and their Confederates in Parliament and Councell of State, will be as ſo many Kings, Princes and Lords, and your ſelves, and all the people, their Slaves and Vaſſals.

Therefore keep every man his place and poſt, and ſtirre not, but immediately chuſe you a Councell of Agitators once more to judge of theſe things; without which we ſhall never ſee a new Parliament, or ever be quit of theſe intolerable burdens, oppreſſions, and cruelties, by which the People are like to be beggered and deſtroyed.

151. M. *Lockier* condemned by a Councell of VVarre, with his honourable death and buriall: and *Lilburnes* Letter to the Generall.

About this time Maſter *Robert Lockier* and five or ſix other Troupers of Captaine *Savages* Troup vvere condemned for a ſuppoſed mutiny; in behalf of vvhom Lieut. C. *Iohn Lilburne* vvrit this Letter followving to the Generall, dated 27. *April*, 1649.

May it pleaſe your Excellency;

WE have not yet forgot your Solemne Engagement of *Iune* 5. 1647. vvhereby the Armies Continuance as an Army vvas in no vviſe by the vvill of the State, but by their ovvne mutuall Agreement: And if their ſtanding vvere removed from one Foundation to another, (as is undeniable) then vvith the ſame they removed from one Authority to another; and the Ligaments and Bonds of the Firſt vvere all Diſſolved, and gave place to the Second; and under, and from the head of their firſt Station, *viz.*: By the VVill of the State, the Army derived their Government by Martiall Lavv; vvhich in Iudgment and Reaſon could be no longer binding then the Authority (vvhich gave being there to) vvas binding to the Army: For the deniall of the Authority,

is an Abrogation and Nulment of all Acts, Orders, or Ordinances by that Authority as to them: And upon this account, your Excellency vvith the Army, long proceeded upon the Conſtitution of a nevv Councell and Government, contrary to all Martiall Lavv and Diſcipline, by vvhom onely the Army Engaged to be Ordered in their proſecution of the ends, to vvit, Their ſeverall Rights, both as Souldiers and Commoners, for vvhich they aſſociated; Declaring, Agreeing, and Promiſing each other, not to Disband, Divide, or ſuffer themſelves to be Disbanded or Divided, vvithout ſatisfaction and ſecurity in relation to their Grievances and Deſires in behalf of themſelves and the Common-vvealth as ſhould be agreed unto by their Councel of Agitators: And by vertue, and under Colour of this Eſtabliſhment, all the Extraordinary Actions by your Excellency, your Officers, and the Army have paſt: Your refuſall to Disband, diſputing the Orders of Parliament; Impeachment and Ejection of Eleven Members; your Firſt and Second March up to *London*; your late violent Excluſion of the Major part of Members out of the Houſe, and their Impriſonment vvithout Cauſe, &c. vvhich can no vvay be juſtified from the Guilt of the higheſt Treaſon, but in the accompliſhment of a righteous end, *viz.*: The enjoyment of the benefit of our Lavves and Liberties vvhich vve hoped long ere this to have enjoyed from your hands; Yet vvhen vve conſider and herevvith compare many of your late carriages both tovvards the Souldiery and other Free People; and principally your Cruell Exerciſe of Martiall Lavv, even to the Sentence and Execution of Death upon ſuch of your Soldiers as ſtand for the Rights of that Engagement, &c. And not onely ſo, but againſt others not of the Army; vve cannot but look upon your defection and Apoſtaſie in ſuch dealings, as of moſt dangerous Conſequence to all the Lavvs and Freedoms of the People.

And therefore, although there had never been any ſuch ſolemn Engagement by the Army, as that of *Iune* 5. 1647. vvhich vvith your Excellency in point of duty ought not to be of the meaneſt obligation. VVe do proteſt againſt your Exerciſe of Martial Lavv, againſt any vvhomſoever, in times of Peace: vvhere all Courts of Iuſtice are open, as the greateſt encroachment upon our Lavves & Liberties that can be acted againſt us; and particularly, againſt the

the Tryall of the Souldiers of Captaine *Savages* Troup yeſterday, by a Court Martiall, upon the Articles of VVarre, and ſentencing of tvvo of them to death; and for no other end (as vve underſtand) but for ſome diſpute about their Pay: And the reaſon of this our Proteſtation, is from the *Petition of Right*, made in the third yeare of the late King, vvhich declareth, *That no perſon ought to be judged by Law Martiall, except in times of VVarre; And that all Commiſſions given to execute Martiall Law in time of Peace, are contrary to the Lawes and Statutes of the Land.* And it vvas the Parliaments complaint, That Martiall Lavv vvas then commanded to be executed upon Souldiers for Robbery, Mutiny, or Murder. VVhich *Petition* of Right this preſent Parliament in their late Declarations of the 9. of *February* and the 17. of *March*, 1648. commend as the moſt excellenteſt Lavv in *England*; and there promiſe to preſerve inviolably, it, and all other the Fundamentall Lavves and Liberties, concerning the preſervation of the Lives, Properties, and Liberties of the people, vvith all things incident thereunto. And the Exerciſe of Martiall Lavv in *Ireland*, in time of Peace, vvas one of the chiefeſt Articles for vvhich the E. of *Straſford* loſt his Head: The ſame by this preſent Parl. being judged High Treaſon. And the Parliament it ſelf, neither by Act nor Ordinance, can juſtly or vvarrantably deſtroy the Fundamentall Liberties and Principles of the Common Lavv of *England*: It being a Maxim in Lavv and Reaſon both, that all ſuch Acts and Ordinances, are *ipſo facto*, null, and void in Lavv, and binds not all, but ought to be reſiſted & ſtood againſt to the death. And if the Supreme Authority may not preſume to doe this, much leſſe may You, or Your Officers preſume thereupon; For vvhere Remedy may be had by an ordinary courſe in Lavv, the Party grieved ſhall never have his recourſe to extraordinaries. VVhence it is evident, That it is the undoubted Right of every Engliſhman (Souldier, or other) that he ſhould be puniſhable onely in the ordinary Courts of Iuſtice, according to the Lavvs and Statutes of the Realme in the times of Peace, as novv it is; and the extraordinary vvay by Courts Martiall, in no vviſe to be uſed.

Yea the Parliaments Oracle, Sir *Edward Cooke*, Declares in the third part of his *Inſtitutes*, Chap. of *Murder*, *That for a Generall or other Officers of an Army, in time of Peace to put any man, al-*

though a Souldier, to death, by colour of Martiall Law, it is absolute murder in that Generall, &c. Therefore erecting of Martiall Lavv novv, vvhen all Courts of justice are open & stopping the free current of Lavv, vvhich sufficiently provides for the punishment of Soldiers as vvel as others, as appears by 18 *H.* 6. *c.* 19. 2 *&* 3 *E.* 6. *c.* 2. 4 *&* 5 *P. & M. c.* 3. *&* 5 *el.* 5. *&* 5 *Iam.* 25. is an absolute destroying of our Fundamentall Liberties, and the razing of the Foundation of the Common Lavv of *England*; the vvhich out of Duty and Conscience to the Rights and Freedoms of this Nation (vvhich vve value above our lives) and to leave You and Your Councell vvithout all excuse, vve vvere moved to represent unto Your Excellency, Earnestly pressing You, vvell to consider vvhat You doe, before you proceed to the taking avvay the Lives of those men by Martiall Lavv; least the bloud of the Innocent (and so palpable Subversion of the Lavves and Liberties of *England*) bring the revvard of just vengeance after it upon You, as it did upon the Earle of *Strafford*: For Innocent bloud God vvill not pardon; and vvhat the people may doe (in case of such violent Subversion of their Rights) vve shall leave to Your Excellency to judge, and remaine

Sir,

Your Excellencies
humble Servants,
IOHN LILBURNE.
RICH: OVERTON.

From our Cansleſſe, and unjuſt, and Tyrannicall Captivity, in the *Tovver* of *London*, *April* 27. 1649.

Notvvithstanding vvhich Letter, and much other meanes made, the said *Lockier* vvas Shot to Death in Saint *Paul's* Church-yard the same day, to strike a terror and slavish feare into such other Souldiers as shall dare to take notice of their approaching slavery; but his Christian and gallant deportment at his death, vvith the honourable funerall pomp accompanying him to his Grave turned all the terror of his Tragedy into hatred and contempt of the Authors thereof.

152. Arreares given to Col. *A. Popham*, & *H. Martin*, & temptations put upon *Lilburne* and *Lyes.*

About this time the House of Commons gave to Col. *Alexander Popham* all his Arreares, and to *Harry Martyn* 3000*l.* to put him on upon the holy Sisters, and take him off from the Levellers: And *Cromwell* is novv playing the Devils part, shevving the Kingdomes

Kingdomes of the earth, and tempting *Iohn Lilburne* to fall dovvne and vvorſhip him, to forſake his good principles and engagements, and betray the liberties of the people, but L. Col. *Lilburne* is higher ſeated in the good opinion of the people than to be ſuſpected of ſo much baſeneſſe, vvho are confident he vvill as conſtantly reſiſt falſe promiſes and vaine hopes, as he hath vaine threats and terrors of Indictments, and not caſt avvay the hold he hath of immortality by hearking to ſuch a Syren vvhoſe promiſes are but baits, vvith a hooke hidden under them; and his preferments but like *Mahomets* paradiſe: he that hath couſened all the Intereſts of the Kingdome vvill not ſcruple to cheat his Enemy, a free-ſpirited plaine meaning man. This is to undermine and blovv up his credit vvith his party, and make him liable to a revenge hereafter: He that ſtoops to the lure of a knovvn Enemy is guilty of inexcuſable folly, and a Betrayer of himſelfe, eſpecially having had ſo faire a Copie of Conſtancy ſet him by Coronet *Ioyce* vvho hath vvith much faithfulneſſe reſiſted the like allurements, and ſo foule a Copie of Inconſtancy by *Reynolds*.

153. The deſigne of making Members of Parliament liable to Arreſts.

The Commons have ordered, *That upon Complaint made to any Iudge of the three Benches, the Iudges ſhall ſend a Letter of Summons to ſuch Member of their Houſe as ſhall be complained of, to give an appearance, and ſubmit to legall proceedings, otherwiſe his perſon to be liable to Arreſts.* But our preſent Iudges are Creatures to the Houſe of Commons, and knovv beforehand vvhat Members are *Babes of Grace* in favour, and muſt be priviledged; and vvho are out of favour, and muſt not be priviledged; they have *an Index* tells them vvhen *to grant* and vvhen *to deny*, *Sinners* muſt not be partakers of the ſame Lavves *with Saints*: This is a VVhip and a Bell to drive ſuch dogged Members out of the Hall as vvill not hunt in pack vvith the Grandees in purſuit of their deſigne, and are quick-ſented enough to ſmell out their knavery, if they come too neer their dore: It is thought the tyrannicall Hocas Pocaſſes had an ayme hereby to laſh *Harry Martyn* off from the Levellers, and make him come in to them.

154. VVomen Petition the Houſe for L. Col. *Lilburne* and his Company.

About this time ſome thouſands of vvelaffected VVomen of *London*, *VVeſtminſter*, *Southwarke*, and the *Hamlets*, ſtormed the Houſe of Commons vvith tvvo Petitions in behalf of *Io: Lilburne* and his Company: They complaine of *the Councell of States violent*

lent and illegall proceedings againſt them, in ſeizing them in the night by Souldiers; of Lockiers *being ſhot to death by Martiall Law; of their Arbitrary Government, Taxes, Exciſe, Monopolies, &c. That there was a Deſigne to fetch* Lilburne *and his Fellowe Priſoners out of the Tower at midnight to* VVhite-hall *and there murder them; That the Houſe by Declaring the Abettors of the Booke laid to thoſe Priſoners charge Traytors, have layd a ſnare for people; when as hardly any diſcourſe can be touching the affaires of the preſent times but falls within the compaſſe of that Booke; ſo that all liberty of diſcourſe is there by utterly taken away, then which there can be no greater ſlavery.*

Second part of *Englands* New Chaines diſcovered.

They received not ſo good Anſvvers to theſe Petitions as they vvere vvont to receive, vvhen they had Money, Plate, Rings, Bodkins, and Thymbles to ſacrifice to theſe Legiſlative Idols, they vvere bid *Goe home and waſh their Diſhes*; to vvhich ſome replied, *They had neither Diſhes nor Meat left.*

155. Obſervations upon the Commons Anſwer to thoſe that petitioned for *Lilburne, &c.*

Note that the Commons have returned anſvver to ſome Petitioners, *that Lilburne ſhall be Legally Tried by Laws preceding the fact*, and yet by their Order, 11. *April*, 1649. it is Ordered, *That the Attourney Generall be required to take ſpeedy courſe for proſecution of Lieu. Col.* Io: Lilburne, &c. *in the Vpper Bench this Terme, upon the Declaration of this Houſe touching the Booke, entituled,* [*The ſecond part of* Englands *new Chaines diſcovered.*] if this Order be not a Lavv and preceding the fact too, then our ſupreme Saints have told a Legiſlative Lie. In the latter end of the ſaid Anſvver they are angry the Petitioners ſhould diſcover ſo much of their baſeneſſe, That *Cromwell* & *Ireton* rides them, and therefore (contrary to all mens knovvledge, and their ovvne Conſciences) they terme thoſe Intimations, ſeditious Suggeſtions; and Ordered, that *Cromwell* and *Ireton* ſhould dravv up a Declaration to prevent the people from being miſ-led by Sovvers of ſedition; ſuch are the degenerous Spirits of under-Tyrants, vvho are Aſſes to their Superiors, and Lyons to their Inferiors: *Cromwell* and *Ireton*, that have ſubverted all civill Authority, *Murdered the* KING, poſſeſſed themſelves of vvhat they pleaſe, and enſlaved the Kingdome vvith a Military tyranny, muſt dravv up a Declaration according to their fancy, for their ovvne vindication, and the Commons muſt Father the Baſtard and ſet the ſtamp of their

Humiliter ſervivunt, aut ſuperbe dominantur.

their Authority and priviledge upon it, leſt any man ſhould confute it, and beat back the Authors lies into their throats. But this is no nevv invention, for formerly vvhen the Councell of Officers ſet forth their Anſvver to the Houſe of Commons Demands concerning their ſecured Members; *Cromwell* and *Ireton* cauſed their Iourney-men of that Conventicle to Vote, *That the Houſe did approve the matter of the ſaid Anſwer*; thereby ovvning all the groſſe lies therein contained to deterre the impriſoned Members from replying to it, and ſo by a tacite confeſſion to acknovvledge themſelves guilty.

Ireton penned this ſcandalous Anſwer of the ſaid Officers.

156. The Turkiſh *Alchoran* taught to ſpeak Engliſh.

About this time appeared out of the Eaſt a Nevv Light in our Horizon, the *Alchoran* of *Mahomet* (Predeceſſor to *Cromwell*) and of *Sergius* (forerunner of *Hugh Peters*) naturalized and turned Engliſh. Novv the Ievves (Profeſſed Enemies to Chriſt (vvhich *Mahomet* is not) are accepted oft) it is believed that their *Thalmude* and *Caball* vvill ſhortly be made Engliſh too, that this Iſland may be rendered a compleat Pantheon, a Temple and Oracle for all Gods and all Religions; our light-headed innovating People being like Reeds as apt to be ſhaken by, and bend unto every vvind, every breath of pretended Inſpiration, as the antient Arabians vvere.

157. New-declared Treaſons to defend tyranny and uſurpation, and enſnare the People.

May 1. 1649. The frighted Conventicle of Commons conſidered of an Act (forſooth) to fortifie themſelves and their uſurpations vvith a Scar-crovv of nevv-declared Treaſons, to the purpoſe followving:

1: *If anyman ſhall malitiouſly* (this is a vvord of qualification, a back-dore to let out ſuch as they ſhall thinke fit) *Affirme the preſent Government to be tyrannicall, uſurped, or unlawfull, or that the Commons in Parliament, are not the ſupreme Authority of the Nation, or endeavour to alter the preſent Government.*

2. *If any affirme the Councell of State or Parliament to be Tyrannicall or unlawfull, or endeavour to ſubvert them, or ſtirre up ſedition againſt them.*

For Souldiers of the Army to contrive the death of the Generall, or Lieutenant Generall, or endeavour to raiſe mutinies in the Army, or to leavy VVarre againſt the Parliament to joyne with any to invade England *or* Ireland, *counterfeit the Great Seale, kill any Member of Parliament, or Iudge, or Miniſter of Iuſtice in their duty*: All theſe

Quare, whether *Cromvvell* be Lieutenant Generall, or no?

theſe ſeverall caſes to be Declared, *Treaſon.* You ſee the terrors of *Caine* purſue theſe guilty Covvards.

This Fools Bolt is chiefly aymed at the honeſt *Levellers*; this *Iunto* of Commons have made themſelves *legall Traytors* already, and vvould novv make all the Kingdome *legiſlative Traytors*; but I hope none of thoſe that arrogate the Reverend Title of *Iudges of the Law* (although againſt Lavv) vvill be ſo lavvleſſe as to give Sentence of Death upon any ſuch illegall Act of the Houſe of Commons; nay, this very Act denounceth ſlavery and bondage to the Nation, and therefore is an Act of the higheſt tyranny, and a ſnare.

158. The Levellers Randezvous in *Oxford-ſhire.*

May 6. 1649. The honeſt Levellers of the Army, (for that is the Nick-name vvhich *Cromwell* falſly and unchriſtianly hath chriſtned them vvithall) Enemies to Arbitrary Government, tyranny and oppreſſion, vvhether they find it in the Government of one or many? vvhether in a Councel of Officers, a Councel of State, or a fag end of a Houſe of Commons? vvhether it vayle it ſelfe vvith the Title of a Supreme Authority, or a Legiſlative povver?) drevv together to a Randezvouz about *Banbury* in *Oxfordſhire*, to the number of 4000 or 5000. others reſorting to them dayly from other parts. This gave an Alarme to our Grandees, fearing the dovvnfall of their domination. *Cromwell* (not knovving vvhat Party to dravv out againſt them, that vvould be ſtedfaſt to him) ſhunned the danger, and put his property the Generall upon it to oppoſe the Randezvouz, and (looking as vvan as the guilles of a ſick Turkey-cock) marched forth himſelfe VVeſtvvard to intercept ſuch as drevv to the Randezvouz. In the meane time the ſaid Levellers printed and publiſhed this enſuing Paper, entituled,

Englands *Standard advanced: or, A Declaration from Mr.* VVill: Thompſon, *and the oppreſſed People of this Nation, now under his conduct in* Oxford-ſhire:

Dated at their Randezvouz, *May* 6. 1649.

WHereas it is notorious to the whole world, that neither the Faith of the Parliament, nor yet the Faith of the Army (formerly made to the People of this Nation, in

in behalf of their Common Right, Freedome, and Safety) hath been at all obſerved, or made good, but both abſolutely declined and broken, and the People onely ſerved with bare words and faire promiſing Papers, and left utterly deſtitute of all helpe or delivery: And that this hath principally been by the prevalency and treachery of ſome eminent Perſons (now domineering over the People) is moſt evident. The Solemne Engagement of the Army at New-market, *and* Triploe-heaths *by them deſtroyed, the Councell of Agitators diſſolved, the blood of War ſhed in time of Peace, Petitioners for Common Freedome ſuppreſſed by force of Arms, and Petitioners abuſed and terrified, the lawfull Triall by* 12 *ſworn Men of the Neighbourhood ſubverted and denied, bloody and tyrannicall Courts (called an high Court of Juſtice, and a Councell of State) erected, the power of the Sword advanced and ſet in the Seat of the Magiſtrates, the Civill Lawes ſtopt and ſubverted, and the Military introduced, even to the hoſtile ſeizure, impriſonment, tryall, ſentence, and execution of death, upon divers of the Free People of this Nation, leaving no viſible Authority, devolving all into a factious Juncto and Councell of State, uſurping and aſſuming the name, ſtamp, and Authority of Parliament, to oppreſſe, torment and vex the People, whereby all the lives, liberties, and eſtates, are all ſubdued to the Wills of thoſe Men, no Law, no Juſtice, no Right or Freedome, no caſe of Grievances, no removall of unjuſt barbarous Taxes, no regard to the cries and groanes of the poore to be had while utter beggery and famine (like a mighty torrent) hath broke in upon us, and already ſeized upon ſeverall parts of the Nation.*

Wherefore through an inavoidable neceſſity, no other meanes left under Heaven, we are enforced to betake our ſelves to the Law of Nature, to defend and preſerve our

selves and Native Rights, and therefore are resolved as one Man (even to the hazard and expence of our lives and fortunes) to indeavour the redemption of the Magistracy of England, *from under the force of the Sword, to vindicate the* Petition of Right, *to set the unjustly imprisoned free, to relieve the poore, and settle this Common-wealth upon the grounds of Common Right, Freedome, and Safety.*

Be it therefore known to all the free People of England, *and to the whole world, that (chusing rather to die for Freedome, than live as Slaves) We are gathered and associated together upon the bare accompt of* English-men, *with our Swords in our hands to redeem our selves and the Land of our Nativity, from slavery and oppression, to avenge the blood of War shed in the time of Peace, to have justice for the blood of M.* Arnold *Schot to death at* Ware, *and for the blood of M.* Robert Lockyer, *and divers others who of late by Martiall Law were murthered at* London.

And upon this our Engagement in behalf of the Commonwealth, We doe solemnly agree and protest, That we will faithfully (laying all self respects aside) endeavour the actuall reliefe & setlement of this distressed Nation.

And that all the world may know particularly what wee intend, and wherein particularly to center and acquiesce for ever, not to recede or exceed the least punctilio, We do declare from the integrity of our hearts, that by the help & might of God we will endeavour the absolute setlement of this distracted Nation, upon that forme and Method by way of an Agreement of the People, *tendered as a Peace-offering by Lieut. Co'onel* John Lilburne, *Mr.* Will: Walwyn, *Mr.* Thomas Prince, *& Mr.* Rich: Overton, *bearing date* May 1. 1649. *the which we have annexed to this* our Declaration *as the Standard of our Engage-*

Engagement, thereby owning every part and particular of the Premiſes of the Agreement, *promiſing and reſolving to the utmoſt hazard of our Lives and Abilities, to purſue the ſpeedy and full Accompliſhment thereof, and to our power, to protect and defend all ſuch as ſhall Aſſent or Adhere thereunto: And particularly, for the Preſervation & Deliverance of L. Col.* John Lilburne, *M.* Will: Walwyn, *Mr.* Thomas Prince, *Mr.* Richard Overton, *Captaine* Bray, *and Mr.* William Sawyer, *from their barbarous and illegall Impriſonments: And wee Declare*, That if a haire of their heads periſh in the hands of thoſe Tyrants that reſtraine them, That if God ſhall enable us, we will avenge it ſeventy times ſeven fold upon the heads of the Tyrants themſelves and their Creatures.

And that till ſuch time as by Gods Aſſiſtance we have procured to this Nation the Declared purpoſe of this our Engagement, we will not Divide nor Diſband, nor ſuffer our ſelves to be Divided or Diſbanded, reſolving with ſoberneſſe and civility to behave our ſelves to the Country, to wrong nor abuſe any man, to protect all to our power from violence and oppreſſion in all places where we come; reſolving to ſtop the payment of all Taxes or Seſſements whatſoever, as of Exciſe, Tythes, and the Tax of Ninety thouſand pounds per menſem.

And having once obtained a New Repreſentative, *according to the ſaid* Agreement, *upon ſuch Terms and Limitations therein expreſſed; We ſhall then freely lay down our Armes, and returne to our ſeverall Habitations and Callings.*

And concernings the equity, neceſſity, & juſtice *of our undertaking, We appeale to the judgement of the oppreſſed, betwixt their Deſtroyers and Vs; Whether by the law of God, of Nature, and Nations, it be not equally juſtifiable in*

us to engage for the Safety and Deliverance of this Nation, *as it was with the* Netherlanders, *and other People for theirs, and that upon the ſame Principles that the Army engaged at* New-market *and* Triploe-heaths; *both Parliament and Army declaring*, That it is no reſiſtance of Magiſtracy to ſide with juſt Principles, & Law of Nature and Nations: And that the Souldiery may Lawfully hold the hands of that Generall, who will turn his Cannon againſt his Army, on purpoſe to deſtroy them: The Sea-men the hands of that Pilot, who wilfully runs his Ship upon a Rock. *And therefore, (the condition of this Commom-wealth conſidered) we cannot ſee how it can be otherwiſe eſteemed in us. And upon that account we Declare*, that we doe owne, and are reſolved to owne all ſuch Perſons, either of the Army or Countries, that have already, or ſhall hereafter, riſe up and ſtand for the Liberties of *England*, according to the ſaid Agreement of the People: *And in particular*, We doe owne & avow the late proceedings in Colonel *Scroops*, Col. *Harriſons*, and Major General *Skippons* Regiments, declared in their Reſolutions publiſhed in print; As *One Man*, Reſolving to live and die with them, in their & our juſt and mutuall defence.

And we doe implore and invite all ſuch as have any ſenſe of the Bonds and Miſeries upon the People; any Bowels of Compaſſion in them, any Piety, Juſtice, Honour, or Courage in their Breſts, any Affections to the Freedomes of England, *any love to his Neighbour or Native Country*, to riſe up, *and* come in *to help a diſtreſſed miſerable Nation, to breake the* Bands of Cruelty, Tyranny, *and* Oppreſſion, *and ſet the People* Free.

In which Service, Truſting to the undoubted goodneſſe of a juſt and righteous Cauſe, We ſhall faithfully diſcharge

the utmoſt of our Endeavours; Not ſparing the venture of all hardſhips and hazards whatſoever, and leave the Succeſſe to God.

Signed by me WILLIAM THOMPSON, at our Randezvouz in *Oxford-ſhire* neer *Banbury*, in behalf of my Self, and the Reſt Engaged with me, *May* 6. 1649.

For a New Parliament, By the Agreement of the People.

159. Doct *Doriſlaus* ſtabbed to death in *Holland*.

About this time Doctor *Doriſlaus* a Civill Lawyer, ſometimes Judge Advocate to the Earle of *Eſſex*, and Lord *Fairfax*, and lately one of the Councell in the High Court of Juſtice againſt the KING, and the 4. Lords, was ſent from the Parliament, Agent into *Holland*, where about 18. *Scots-men*, repayring to his Lodging, 6. of them went up the ſtayres to his Chamber, whilſt 12. of them made good the ſtayre-foot; they ſtabb'd him to death, and eſcaped.

160. *Haſterigg* barbarous motion to murder ix Royaliſts of the beſt quality in revenge of *Doriſlaus*.

About the 14. day of *May*, 1649. Report was made from the Councell of State to the Houſe of the examination of 3. Servãts of Doctor *Doriſlaus*, concerning the Death of their Maſter; & what allowances were fit to be given to his Children out of the Kings Revenue, thereby to lay an aſpertion upon the King (as if He having had an influence upon that Fact, His Eſtate muſt make the recompence, notwithſtanding Scotiſh men did the deed in revenge of *Hamiltons* death.) *Doriſlaus* had been a poor Schoolmaſter in the *Low Countries* formerly, from whence he was tranſlated to read the *Hiſtori Lecture* at *Oxford*, where he decried *Monarchy* in his firſt *Lecture*; was complained of, and forgiven by the benignity of the *King*. Then he became Judge Advocate in the Kings Army in his expedition againſt the *Scots*: afterwards he had the like imployment, under the Earle of *Eſſex*; and laſtly, under Sir *Tho: Fairfax*, a great Gainer by his employments, but withall, a great Antimonarchiſt, & a Saint in *Cromwells* Rubrick, & therefore had a magnetique virtue both living and dead to draw money to him in abundance. Upon occaſion of this Debate, *Haſterigge* moved, *That* 6 *Gentlemen of the beſt*

quality [*Royalists*] *might be put to Death as a revenge for* Doriſlaus, *and to deterre men from the like attempts hereafter.* (That you may the better ſee of what Spirit *Haſlerigge* is knowne, That ſome Northerne Counties having petitioned the Commons for reliefe, againſt the miſerable famine raging there: *Haſlerigge* oppoſed their requeſt, ſaying, *That want of food would beſt defend thoſe Counties from Scotiſh Invaſions.*) What man that had any ſenſe of Chriſtianity, Courage, Honeſty, or Juſtice, would have been the Authour of ſo barbarous and unjuſt a motion, That 6. Gentlemen no way conſcious nor privie to the fact ſhould be offered up a ſacrifice to revenge & malice; nay, to guilty feares and baſe cowardize, to keep off the like attempts from *Haſlerigge* and his Party. I wiſh this Gentleman would read the *Alchoran* (or new Independent Bible of the new Tranſlation) and from thence gather precepts of more Humanity, Juſtice, Honeſty and Courage, ſince he hath Read the Old & New Teſtament of *Moſes* and *Chriſt* to ſo little purpoſe. Yet the Houſe, 18. *May*, paſſed a Declaration, *That if more Acts of the like nature happened hereafter, it ſhould be retaliated upon ſuch Gentlemen of the Kings Party as had not yet Compounded.* But this is but a deviſe to fright them to Compound, unleſſe it be a forerunner to a Maſſacre heretofore taken into conſideration at a Councell of Warre: See §.

1641. An Act declaring more new Treaſons.

About this time came forth that prodigious Act, declaring 4. *new Treaſons* with many cõplicated Treaſons in their bellies, the like never heard of before in our Law, nor in any Kingdome or Republike of Chriſtendõ: Becauſe I have formerly ſpokẽ of it, the Act it ſelf printed, publiſht & dreadfully notorious throughout the whole Kingdõ; I wil refer you to the printed Copie; only one clauſe formerly debated was omitted in the Act, *viz. That to kill the Generall, Lieu. Gen: any Members of this preſent Parl: or Councel of State to be declared, Treaſon;* this would have diſcovered their guilty cowardize ſo much they were aſhamed of it: beſides it was thought fit to make the People take a new Oath of Allegiance to the new State. Firſt, I wil only give you ſome few Obſervations thereupon. This Act declares to be Treaſon unto death and confiſcation of Lands all Deeds, Plots, & Words: (1.) Againſt this preſent fagge end of a Parliament, & againſt their

their never-before heard-of Supreme Authority and Government: for, when was this Kingdome ever governed by a Parliament, or by any power conſtituted by them? (2.) All endeavours to ſubvert *the Keepers of the Liberties of England* and *Councell of State* conſtituted, and to be from time to time conſtituted by Authority of Parliament, who are to be under the ſaid Repreſentatives in Parliament, (if they pleaſe, & not otherwiſe; for the *Sword* and the *Purſe* is truſted in the power of the Councell of State) yet *the Keepers of the Liberties of England*, and *the Councell of State of England to be hereafter conſtituted by Parliament*, are *Individua vaga*, ayrie notions not yet named nor known; & when they are known we owe them no Allegiance, (without which no Treaſon) by the knowne Lawes of the Land. which is onely due to the King, His lawfull Heires & Succeſſours, & thereto we are ſworne; nor are the particular Powers & Authorities, granted by this Parliament to the ſaid Keepers of the Liberties of *England*, & Councell of State yet any where authentically publiſhed & made knowne to us by any avowed Act, (unleſſe we ſhall account their Licenced New books to be ſuch) and therefore they may uſurp what powers they pleaſe: So that theſe men who involved us in a miſerable Warre againſt the late Murdered KING, pretending He would enſtave us, & they would ſet us free; have brought us ſo farre below the condition of the baſeſt Slaves, that they abuſe us, like brute Beaſts, and having deprived us of our Religion, Lawes and Liberties; and drawne from us our money and bloud, they now deny us the uſe of reaſon and common ſenſe, belonging to us as Men, & Governe us by arbitrary, irrationall Votes, with which they baite Traps to catch us; woe be to that People whoſe Rulers ſet ſnares to catch them, and are *amari venatores contra dominum*, Men-hunters againſt God; nay, *to move any Perſon to ſtirre up the People againſt their Authority is hereby declared, Treaſon*: marke the ambiguity of theſe words (like the Devils Oracles) which he that hath Power and the Sword in his hands will interpret as he pleaſe: If the Keepers of the Liberties of *England*, or Councell of State ſhal extend too farre, or abuſe their Authority never ſo much contrary to the Lawes of the Land, Reaſon, Juſtice, or the Lawes of God) as hath been lately done in the Caſe of *Lilburne*, *Walwyn*,

Walwyn, &c.) no Lawyer, no Friend shall dare to performe that Christian duty of giving councell or help to the oppressed, here Fathers and Children, Husbands & Wives. Brothers & all relations must forsake, nay betray one another, lest these Tyrants interpret these duties to be, A moving of them *to stirre up the People against their Authority.* 3. *All endeavours to withdraw any Souldier or Officer from their obedience to their superior Officer, or from the present Government*, as aforesaid; By which words it is Treason: First, *if any mans Child*, or Servant, be inticed into this Army, & the Father or Master endeavour to withdraw him from so plundering and roguing a kind of life back to his profession. Secondly, *if any Commander or Officer* shall command his Souldiers to violate, wrong, or rob any man for the party so aymed at, or some wel-meaning Friend to set before the said Soldiers the sinne and shame of such actions, and disswade them from obeying such unlawfull commands. 4. If any man shall presume to counterfeit their conterfeit Great Seale, it is declared Treason. I wonder it is not Treason to counterfeit their counterfeit Coyne! Behold here new minted Treasons current in no time nor place but this afflicted Age and Nation: *Edw. 3. anno 25. regni, ch. 2.* passed an excellent Act to secure the People by reducing Treasons to a certainty; as our new Legislative Tyrants labour to ensnare the People by making Treasons uncertaine and arbitrary; what they please to call Treason shall be Treason, though our knowne Lawes call it otherwise: we have long held our Estates & Liberties, & must now hold our Lives at the will of those Grand Seigniours, one Vote of 40. or 50. factious Commons, Servants & Members of the Army vacates all our Lawes, Liberties, Properties, and destroies our Lives. Behold here a short view of that Act which hath no Additions by any Act subsequent. See *Stat. 1. Mariæ, c. 10.* Whereas diverse opinions have been before this time, in what cases Treason shall be said, and in what not; The King at the request of the Lords and Commons, Declares:

Sic volo, sic jubeo, it shall be Treason, because they will call and Vote it so.

See 1 H. 4. c. 10. 11 H. 7. c. 1.

1. *That to compasse or imagine the Death of the* KING, (how much more to act it) *Queen, or their eldest Son and Heyre.*

2. *To violate the* KING'S *Companion, eldest Daughter unmarried, or the Wife of the* KING'S *eldest Son and Heyre.*

3. *To*

3. *To leavie Warre againſt the* KING, *or adhere to His Enemies in his Realm, and thereof be proveably attainted of open deed by people of their condition.*

4. *To counterfeit the* KING's *Great or Prive Seale;*

5. *Or His Money.*

6. *To ſtay the* KING's *Chancellour, Treaſurer, Iuſtices of one Bench or other, Iuſtices in Oyre, Iuſtices in Aſſize, and all other Iuſtices aſſigned to heare and determine, being in their Places doing their Offices.*

If any other caſe ſuppoſed Treaſon which is not above ſpecified, doth happen before any Iuſtices, the Iuſtices ſhall tarry without any going to Iudgment of the Treaſon, till the Cauſe be ſhewed and declared before the KING *and His Parliament* (not before the Houſe of Commons onely, or before both Houſes without the KING) *whether it ought to be adjuged Treaſon.*

So the 4 Lords ought to have been Tried, not by a new ſhambles of juſtice.

You ſee how few in number theſe Treaſons ſpecified are, and that they muſt be attainted of open deed by their Peeres; our *Words were free under Monarchy, though not free under our Free-State*; ſo were they under the Romans. *Tacitus, An. 1. ſub finem,* ſpeaking of Treaſons, *facta arguebantur, dicta impune erant.* Theſe horrible tyrannies conſidered, (and being deſtitute of all other leſſe deſperate reliefe) I doe here ſolemnly declare and proteſt before that God that hath made me a Man and not a Beaſt, a Free-man and not a Slave, that if any man whatſoever that taketh upon him the Reverend name and Title of *a Iudge or Iuſtice* ſhall give Sentence of Death upon any Friend of mine upon this or any other illegall Act of this piece of a Houſe of Commons, I will and lawfully may (the enſlaving ſcar-crow doctrine of all time ſerving, State-flattering Prieſts and Miniſtets, notwithſtanding) follow the exemples of *Sampſon, Iudith, Iaell,* and *Ehud,* and by *Ponyard, Piſtoll, Poyſon, or any other meanes whatſoever, ſecret or open, proſecute to the Death the ſaid Iudge and Iuſtice, and all their principall Abettors*: and I doe hereby invite and exhort all generous free-borne Engliſh-men to the like reſolutions, and to enter into Leagues defenſive and offenſive, and ſacramentall aſſociations (ſeven or eight in a company, or as many as can well confide in one another) to defend and revenge mutually one anothers Perſons, Lives, Limbs, and Liberties as aforeſaid, a-

gainſt this, and all other illegall and tyrannous Uſurpations.

162. A motion to enlarge Sr *Will: Waller*, &c. And the Generals Anſwer, intimating the ſecuring of the Members to be done by confederacy with the Army-party in the Houſe.

About this time or a little before, the Generall was moved to enlarge Sir *William Waller*, and the other Members illegally kept Priſoners in *Windſor*: He anſwered, *they were no longer his, but the Parliaments Priſoners:* It ſhould ſeem the Brute hath made a private deed of gift of them to his Journy-men of the Houſe. The Generalls Warrant ſeized and Impriſoned them, and notwithſtandinge the Councell of Officers declared in print, *that they were preparing a Charge againſt them*, yet the Knaves lied like Saints; they were then ſo farre from having matter to accuſe them of, that they have ever ſince, hunted after a Charge againſt them, and endevoured to ſuborne Witneſſes; but after 24 Weeks reſtraint (whereas by the Law *no Man ought to be comitted without an accuſation*) they have found nothing againſt them. This turning over of theſe Priſoners to their Houſe of Commons proves what I formerly aſſerted, §. 24. *That the violence of the Army in ſecuring and ſecluding the Members, was by conſent of their* Somerſet houſe *Iunto now ſitting in the Houſe of Commons.*

163. The Generall ſends forth Warrants to all Iuſtices of the Peace to attach thoſe Levellers that he had routed.

The honeſt Leveliers (moſt of them Country-men) endeavouring to draw to a Randezvouz, about 600. or 700. of them marched from *Banbury* to *Burford* in *Oxford-ſhire*, where lying ſecurely (becauſe they were upon Treaty with the Enemy) their Quarters were beaten up, and about 180 of them taken Priſoners, which their Enemies (according to their uſuall cuſtome) to gaine reputation by lying, reported to be ſo many Hundreds. And the Generall (as if they had been all routed) ſent forth his Warrants to all Juſtices of the Peace in the adjacent Counties, requiring them *to apprehend and ſecure all ſuch of them as ſhall be found*; I deſire to know by what Authority the Generall takes upon him to command Juſtices of the Peace who are not under his Power, and what tame Animals theſe Juſtices are that will ſubmit to his commands? and whether he thinks the Civil Magiſtrate to be obnoxious to the Power of the Sword & the Councell of Officers? and his ſingle ſelfe the Supreme Magiſtrate or Tyrant Paramount, notwithſtanding the Vote of his Journeymen Commons, *That no ſingle Man ſhould be truſted with the Supreme Power.*

See the Vote and Act for aboliſhing the Kingly office.

164. The Levellers having poſſeſſed themſelves of *Northampton:* the

the Generall (it is ſaid) thought fit to take hold of the Hornes of the Altar, and wrote to his Vaſſals of the City to ſend their Trained Bands to his reliefe that he might the better domineer over them, and continue their ſlavery hereafter. But if the Citizens have no more wit, I wiſh their Hornes may be as viſible in their foreheads, as the Noſe in *Olivers* face.

The Generall ſends to the City for additionall Forces.

165. To cozen the honeſt Levellers, the Commons (in order to the ending this preſent Parliament) are debating how to pack a ſucceeding Repreſentative as wicked as themſelves and of the ſame leaven; whoſe Election ſhall not be free, but bounded with ſuch Orders of limitation and reſtriction as ſhall ſhut out all men from electing or being elected, as are not preciſely of the ſame principles and practiſes, and as deep engaged in their tyrannicall, trayterous, cheating, bloody deſignes as themſelves, guilty Committee-men, and Accountants to the State ſhall be the next Repreſentative; and for the better lengthening of the buſineſſe (that they may ſee what ſucceſſe) in the meane time (the Levellers will have) they wire-draw it through a Committee, and referre it to be debated by a Committee of the whole Houſe. And at laſt (if they muſt diſſolve) having packed themſelves into a Councell of State, they will uſurp the Supreme Authority there: to prepare the way to which deſigne, they have paſſed another Act, *May* 19. *That the People ſhall be Governed as a Free ſtate by Repreſentatives, and by ſuch as they ſhall conſtitute*; and then conſider what kind of Repreſentatives we are likely to have.

The Commons colourably debate to diſſolve this Parl: and ſettle a ſucceeding Repreſentative.

166. Great care is taken that the State (or rather our States-mens private pockets) might not be prejudiced by Iudgements, Extents, &c. lying upon Delinquents Eſtates: you ſee notwithſtanding their declaratory Vote, *That in things concerning the Lives, Liberties, and Properties of the People, they would maintaine the known Lawes of the Land*; yet this Vote (as well as all others) hath *a condition implied*, that it doe no waies hinder the Gaines of our godly Grandees, otherwiſe they would not conſider how to defeat Creditors of their legall aſſurances.

A Debate how to defeat Iudgments, Extents, &c. upon Delinquents Lands. ſeeb.

167. *Iohn Lilburne* being ordered a cloſe Priſoner in the Tower by the Commons without Pen, Inke, or Paper, (which was tyranny under King *Charles*, but not under K. *Oliver*) a Petition was preſented to the Commons by many wel-affected, that *Iohn* might have

Iohn Lilburnes ſtarving impriſonment in the Tower.

The allowance is 4l. a Weeke as I conceive.

have the allowance uſually and legally due to Priſoners in the like caſe for his ſupport; which was rejected, inſomuch that *John* was kept 3 whole daies with one halfe meales meat: this is to condemne men unheard to be murdered by famine in their *private ſlaughter-houſes*, when they cannot, or dare not murder them in their *pretended Courts of Iudicature, or publique ſhambles:* yet afterwards when the drawing together of the Levellers, and diſcontents of *New-caſtle* affrighted the Commons, they voted him the ſhort allowance of 20s. a Week. Thus you ſee nothing but *feares and dangers* can kindle the leaſt ſpark of *goodneſſe and compaſſion* in their woolviſh breaſts: wherefore Lord (I beſeech thee) heap *feares and terrors* upon their guilty pates till with *Iudas Iſcariot* they crie out, *We have ſinned in that We have betrayed innocent bloud.*

168. Why *Ireton* layd down his Commiſſion.

Cromwell being to march againſt the Levellers, left *Ireton* behind him (like a hobby daring of larks) to over-awe the Conventicle at *Weſtminſter*, and ſee they chaunt no tune but of their ſetting, the better to keep himſelf in a neutrall reconciling poſture: *Ireton* layd downe his Commiſſion, (which he can take up againe at pleaſure) whereby he puts off all addreſſes to him from the levelling party for the preſent. This poore Fellow now keepeth his golden Coach which coſt 200l. and 4. gallant Horſes. The world is well altered with ſuch petty Companions; and hereby the Souldiers may ſee what becomes of their Arreares. There hath been a ſeeming falling out between *Cromwell* and *Ireton*.

169. *Hugh Peters* viſits *I. Lilburne* in the Tower, and the ſum of their Conference.

John Lilburne being a cloſe Priſoner in the *Tower* (as hath been ſaid) *Hugh Peters* (Chaplaine in Ordinary to two great Potentates, *Lucifer* and *Oliver*) came about dinner time (*May* 25. 1649.) to viſit him, and though admittance be denied to other men, yet to him the Gates flew open; as ſure as Saint *Peter* keeps the keyes of Heaven, *Hugh Peters* keeps the keyes of our Hell and out Grandees Conſciences, and openeth and ſhutteth at pleaſure; he is Confeſſor to *Tyburne*, and hath a great power over damned Spirits, or rather over ſuch Spirits as not ſubmitting baſely to the tyranny of our State-Mountebanks, incurre their condemnation in this world, (by Gods permiſſion) in order to their ſalvation in the next world: the tyranny of theſe Uſurpers implying at once, their cruelties over our bodies, and

Witneſſe his tampering with *Hamilton*, &c.

Gods

Gods mercy to our ſoules. *Hughs* firſt ſalute was, *That he came meerly to give* John *a viſite, without any deſigne*, (his guilty Conſcience prompting him to a voluntary Apology) *Iohn* anſwered, *I know you well enough, you are one of the ſetting Dogs of the great Men of the Army, with faire and plauſible pretences to inſinuate into Men, when they have done them wrong, and to worke out their deſignes when they are in a ſtrait; and cover over the blots that they have made.* Then *Iohn* complained of the † *illegall and violent ſeizing upon him by Souldiers, and carrying him before that new erected thing, called,* [A Councell of State] *who committed him without any Accuſor, accuſation, Proſecutor, or Witneſſe, or any due proceſſe of Law*: and *yet when the King impeached the 5 Members and preferred a Charge of High Treaſon againſt them*; Recorded 1. part Booke of Decl. p. 35. *and onely failed in a ſingle punctilio of due proceſſe of Law*, they cryed out, *it was an invaſion of the Peoples Liberties*; *ſo that foure or five Recantations from Him.* (Recorded in their owne Declarations) *would not ſerve His turne. Peters* halfe out of countenance (if ſo proſtituted a Villaine that practiſes impudence amongſt common Whores, and whoſe Pulpit is more ſhamefull than another mans Pillory, can be out of countenance) takes up one of *Coke's* Inſtitutions, and profeſſed *Lilburne was meerly gulled in reading or truſting to thoſe Books, for there were no Lawes in* England. *Iohn* anſwered, *he did believe him, for that his great Maſters*, Cromwell, Fairfax, &c. *had deſtroyed them all. Nay*, (quoth *Hugh*) *there never was any in England:* with that *Iohn* ſhewed him *the Petition of Right*, asking him, *whether that were a Law?* which *Peters* had the impudence to deny, asking *What Law was?* *Iohn* replied * out of the Parliaments owne Declarations, *The Law is that which puts a difference betwixt good, and evill; juſt, and unjuſt: If you take away the Law, all things will fall into confuſion, every man will become a law unto himſelfe*; *which in the depraved condition of humane nature muſt needs produce great enormities*; *luſt will become a law, envie a law, Covetouſneſſe and ambition will become lawes: and what dictates, what deciſions ſuch lawes will produce may eaſily be diſcerned. This* (*Maſter* Peters) *is a Definition of Law by the Parliament in the daies of their primitive purity, before they had corrupted themſelves with the Common-Wealths money. And elſewhere the Law is called,*

† Compare this Act of the Kings, With the violent act of thoſe Traytors and Tyrants, *Fairfax* & his Councell of Warre in impriſoning and ſecluding above 200. Members at once without cauſe ſhewne, & leaving only 40. or 50. of their cheating Faction in the Houſe to carry on their bloody Anarchicall deſignes; ſome of which ſecured Members with barbarous uſage were almoſt brought to death, and their murder ſince attempted by Soldiers.

* The Law is now taken away and all things in confuſion by turning our Monarchy (without our conſent) into a Free-State of Slaves govened by Tyrants.

The ſafeguard, the cuſtody of all private Intereſts, your honors, lives, liberties and eſtates, are all in the keeping of the Law, without this every man hath a like Right to any thing; It is the beſt birth-right the Subject hath: it is a miſerable ſervitude or bondage where the Law is uncertaine or unknowne. To this the Comick Prieſt replied, *I tell you (for all this) there is no Law in this Nation but the Sword, and what it gives; neither was there any Law or Government in the world but what the Sword gave.* To this the honeſt Lieutenant Colonel anſwered, *Maſter* Peters, *You are one of the Guides of the Army, uſed by the chief Leaders to trumpet their Principles and Tenents; and if your reaſoning be good, then if ſix Theeves meet three or foure honeſt men and rob them, that act is righteous, becauſe they are the ſtronger Party.* And *if any power be a juſt power that is uppermoſt, I wonder how the Army and Parliament can acquit themſelves of being Rebels and Traytors before God and Man; in reſiſting and fighting againſt a juſt power in the* KING, *who was a power up and viſible, fenced about with abundance of Lawes, ſo reputed in the common acceptation of all Men, by the expreſſe letter of which all thoſe that fought againſt Him are* (ipſo facto) *Traytors; And if it were not for preſervation of our Lawes and Liberties, why did the Parliament fight againſt Him, a preſent power in being? and if there be now no Lawes in* England, *nor never was, then you and your great Maſters,* Cromwell, Fairfax, *and the Parliament are a pack of Bloody Rogues and Villaines, to ſet the People to murder one another, in fighting for preſervation of their Lawes, (in which their Liberties were included) which was the principall declared Cauſe of the Warre from the beginning to the end. I thought* (quoth the Lieutenant Colonel) *I had been ſafe when I made the knowne Lawes the rules of my Actions, which you have all ſworne and declared to Defend; and make as the ſtandard and Touchſtone between you and the People.* * *I but* (replied *Hugh*) *I will ſhew that your ſafety lies not therein, their minds may change, and then where are you? I but* (quoth the Lieutenant Colonel) *I cannot take notice of what is in their minds to obey that; but the conſtant Declaration of their minds* (*never contradicted in any of their Declarations*) *as, That they will maintaine the Petition of Right, and Lawes of the Land, &c.* This was the ſubſtance of their diſcourſe, ſaving that *John* pinched upon his great Maſters large fingering of the Com-

This doctrine of Devils, that it is lawfull to ſubmit to any preſent power that is ſtrongeſt; is broached in a Pamphlet by old *Rowſe* the illiterate Iew of *Eaton-Colledge*. And by *John Goodwin* the ſophiſtical Divine: which is fully confuted in *A Religious Demurrer concerning ſubmiſſion to the preſent power*; an excellent piece.

* The Lawes are now no protection to us, nor the rule of our actions, but the arbitrary wills and luſts of the Grandees.

mon-

mon-wealths Money, calling it *Theft and State-Robbery*, and ſaying, *That* Cromwell *and* Ireton *piſſed both in one quill, though they ſeem ſometime to go one againſt another; yet it is but that they may the more eaſily carry on their main deſign, To enſlave the People.*

Reader, I was the more willing to preſent the ſumme of this Debate to thee, that by comparing their doctrine and principles, with their dayly practiſes, thou mayeſt perfectly ſee to what condition of ſlavery theſe beggarly upſtart Tyrants and Traytors have reduced us by cheating us into a Warre againſt our lawfull Soveraigne, under pretence of *defending our Lawes and Liberties, and the Priviledges of Parliament*, which themſelves onely (with a concurring faction in the Houſe) have now openly and in the face of the Sunne pulled up by the roots: and now they ſtop our mouths, and ſilence our juſt complaints with horrid, illegall and bloudy Acts, Declaring, *Words* and *deeds* againſt their uſurpations and tyranny, to be *High Treaſon*: nothing is now Treaſon but what the remaining faction of the Houſe of Commons pleaſe to call ſo. *To murder the King, breake the Parliament by hoſtile force, put downe the Houſe of Lords, erect extrajudiciall High Courts of Iuſtice to murder Men Without Triall by Peers or Iury, or any legall proceeding; to ſubvert the fundamentall Government by Monarchy, and diſpoſſeſſe the right Heyre of the Crowne, and to uſurp His ſupreme Authority in* a factious fagge end of *the Houſe of Commons, to put the Kingly Government into* a packed Iunto of forty Tyrants, called, *A Councell of State; to exerciſe Martiall Law in times of peace*, and upon Perſons no Members of the Army; *to raiſe* what unneceſſary *illegall Taxes* they pleaſe, and ſhare them and the Crowne Lands and Revenues amongſt themſelves, leaving the Souldiers unpaid to live *upon Free-quarter*, whilſt they abuſe the People with pretended *Orders againſt Free quarter*; *to alter the Styles of Commiſſions, Patents, Proceſſe, and all Legall proceedings, and introduce a foraigne Iuriſdiction; to Counterfeit the Great Seale and Coyne of the Kingdome*, and to *keep up Armies of Rebels* to make good theſe and other tyrannies and Treaſons, is *High Treaſon by the knowne Lawes*; but now (by the Votes of the Conventicle of Commons) it is *High Treaſon to ſpeake againſt theſe Crimes* Good God! how long will thy patience ſuffer theſe Fooles to ſay in their hearts *there is no God?* and yet *profeſſe* Sect. 162.

thee

thee with their mouthes ? to breake all Oathes, Covenants, and Proteſtations made in thy name, to cloake and promote their Deſignes with dayes of impious faſting and thankſgiving? how often have thy Thunderbolts rived ſenſleſſe Trees, and torne brute Beaſts that ſerve thee according to their creation? yet thou paſſeſt over theſe men who contemn thee, contrary to their knowledge and profeſſions: *Scatter the People that delight in warre: Turne the Councells of the Wiſe into folly, let the crafty be taken in their owne net*; and now at laſt, *let the Oppreſſed taſt of thy mercies, and the Oppreſſor of thy juſtice*; throw thy rod into the fire, and let it no longer be a bundle bound together in thy right hand. They appeale to thee *as Author* of their *proſperous ſinnes*, become (Lord) *Author of their juſt puniſhments*; beſtow upon them the *reward of Hypocrites*, and teach them to know the difference between the *ſaving ſtrength* of Magiſtrates, and the *deſtroying violence* of Hang-men: But what am I that argue againſt thy long-ſuffering (whereof my ſelfe ſtand in need) and ſeek to ripen thy vengeance before thy time? *ſhall the Pot aske the Potter what he doth? I beheld the proſperity of the Wicked, and my feet had almoſt ſlipped; Lord amend all* in thy good time, and teach us heartily to pray, *Thy will be done in Earth as it is in Heaven.*

170. The Act for Aboliſhing Monarchy proclaimed in *London.*

May. 30. 1649. The aforeſaid trayterous Act *for aboliſhing Kingly Government*, and converting *England* into a *Free-State*. (conſiſting of forty Tyrants, and many millions of Slaves) was proclaimed in *London* by the newly intruded *illegall Lord Major Andrewes*, accompanied with 14 *Aldermen* of the ſame pack; the People in great abundance crying out, *Away with it, away with it*; *GOD ſave King CHARLES the Second*: and bitterly reviling and curſing it and them, untill ſome Troops of Horſe (ready prepared in ſecret) were ſent to diſperſe, beat, and wound them: and yet the *Tryall of the King*, and the ſubverting of our well-formed *Monarchy* (under which we lived ſo happily heretofore) with all other Acts of the like high nature was done *in the name of the People of England*, although (I dare ſay) at leaſt *five hundred to one* (*if they were free from the terror of an Army*) *would diſavow theſe horrid Acts*; ſo little are the People pleaſed with theſe doings: notwithſtanding the *new Title* the Conventicle of Commons have gulled them withall, Voting the People

of

of *England* to be *The Supreme Power*, and the Commons repreſenting them in Parliament *the Supreme Authority of the Nation* under them: This was purpoſely ſo contrived *to engage the Whole City* and make them as deſperately and impardonably guilty as themſelves: and certainly if this Tumult of the People (*amounting to a publique diſclaimour of the Act*) had not happened, the whole City had been *guilty by way of connivance*, as well as theſe *Aldermen*, and the *illegall Common Councell*, newly packed by the remaining Faction of Commons, contrary to the Cities Charters, to carry on theſe and ſuch like Deſignes, and *entangle the whole City in their Crimes and Puniſhments.*

* *The Names of the Lord Mayor and Aldermen of the City of* London *that perſonally proclaimed the Act* for aboliſhing Kingly Government.

Alderman *Andrewes*, Lord Mayor.

Alderman *Pennington.*	Alderman *Bateman.*
Ald. *Wollaſton.*	Ald. *Atkins.*
Ald. *Foulkes.*	Ald. *Viner.*
Ald. *Kenrick.*	Ald. *Avery.*
Ald. *Byde.*	Ald. *Wilſon.*
Ald. *Edmonds.*	Ald. *Dethick.*
Ald. *Pack.*	Ald. *Foot.*

The Pharaſiticall Houſe of Commons voted an Act, 1. *June* for a day of Thanks-giuing to ſet off K. *Olivers* Victory over the Levellers with the more luſtre; and to ſing *Hoſanna* to him for bringing the grand Delinquent to puniſhment. The wiſe Lord Mayor and his Brethren (in imitation) invited the Parliament, Councell of State, the Generall, and his Officers, to a Thanks-giving Dinner upon that day. The Commons appointed a Committee (under pretence of drawing more money from Adventurers for Relief of *Ireland*) to engage the City farther to them; *Cromwell* had the Chaire in that Committee: the device was, that the Common Councell ſhould invite the Parliament, Coun-

171. A Thanks-giving Dinner in the City for the Generall, &c.

cell of State, and Officers of the Army to Dinner, and feaſt them as a Free-State, and then move the Supplies for *Ireland*. But if the Levellers had prevailed, the thanks-giving whit-broth and cuſtard had beene beſtowed npon thoſe free-ſpirited Blades, whom *Oliver raiſed into a mutiny with one hand*, and (by advantage of his Spies) *caſt downe with another*, for the glory of his owne Name, and *that he might have an occaſion to purge the Army (as he had done the Parliament) of all free-borne humours.*

172. The Councell of State ſit in pomp at *White hall.*

White-hall is now become the Palace of *a Hydra of Tyrants inſtead of one King*, where our *Hogens Mogens*, *or Councell of State* ſit in as much ſtate and ſplendour with their Roomes as richly hanged (I wiſh they were ſo too) and furniſhed (if you will believe their licenced News-books) as any Lords States in *Europe*; yet many of *theſe Muſhromes of Majeſty were but Mechanicks*, Goldſmiths, Brewers, Weavers, Clothyers, Brewers-Clerks, &c. whom ſcornfull Fortune in a ſpitefull merriment brought upon the Stage, and promoted to act the parts of Kings (to ſhew that Men are but her Tennis-balls) and when ſhe is weary with laughing at their diſguiſes, will turne them *into the Tyring Roome out of their borrowed caſts*, and ſhew us that *our Lyons* are but *her Aſſes*. The Kings poore Creditors and Servants may gape long enough (like Camelions) to ſee the aforeſaid Ordinance executed, *for ſale of the King's Goods to pay their Debts*: they (poore Soules) are left to ſtarve while theſe Saints Trimphant revell in their Maſters Goods and Houſes.

173. A generall ſurvey to be taken of the whole Kingdome, that every mans Eſtate reall & perſonal may be taxed.

Orders about this time were ſent forth into *London* and the Counties adjacent *for certaine Committees to enquire upon Oath and certifie the improved value and revenue of every mans Eſtate reall and perſonall*, wherein good progreſſe hath been made already; the like is to go forth throughout the Kingdome. That our 40 mechanick Kings now ſitting in *White-hall*, and the ſelf-created ſupreme Authority of the Nation, may take an exact ſurvey (in imitation of *William the Conquerours Booke of Survey*, called *Doomes-day*, remaining in the *Exchequer*) of their new conquered Kingdome, and know what they are like to get by their villanies; and how to load us with Taxes and Free-quarter, and what the value of their Eſtates are when they have compleated their Deſign *of Sequeſtring the Preſbyterians as they have done the Royaliſts.*

The

The faction in the House are this beginning of *June*, 1649. sitting abrood upon an Act *to enable Committees to give Oathes in some cases*; and yet the *House of Commons never had* nor pretended to have *power to give Oaths* themselves (though every Court of *Pypowders* hath) because *the House of Commons is no Court of Iudicature*, but onely *the Grand Inquest of the Kingdome, to present to the King the grievances & the necessities of the People by way of humble Petition*; as appears by our Law-Books and Statutes: and therefore the Commons can grant no more then they have themselves, But now the remaining faction of the House have voted themselves to be *the supreme Authority of the Nation*, and have a Sword to maintaine it, they and we must be what they please: yet I must affirme, that to take *illegall Oathes* is neither justifiable before God nor Man, and no lesse than *dammable*. But (it may be) that by accustoming the People to take these new-imposed, illegall Oathes, they hope to make them the more easily swallow their intended *new Oath of Allegiance* to their *new State*, and their owne Damnation together hereafter.

174. An Act enabling Committees to give Oaths.

All the Scrivenors about the Towne are commanded by the Supreme thing *to produce their Shop-books*; that notice may be taken who are guilty of having money in their purses, that the fattest and fullest may be culled out and sequestred for Delinquents, now that their almighty Saints-ships have occasion to use it for defence of their Free-State, if they would but search one anothers private pockets they would find money enough. The like attempt (onely) in the Kings time was cried out upon as a high peece of tyranny, but nothing can be tyranny under a Free-State: The Supreme Authority being so full a Representative-glasse of the People, that it takes our very substance into it self, and leaves us onely the shadow, whilst we wander up and downe like our owne Ghosts, who having lived under the Monarchy of Good KING CHARLES, are now dead and descended like shades into the Kingdome of *Pluto*.

175. Scrivenors commanded to shew Shop-books.

The 7. *June*, 1649. the thanks-giving (spoken of §. 172.) was solemnized in the City: the Lord Mayor meeting the Speaker, resigned to him (as formerly was used to the King) the Sword of State (as had been ordered by the House the day before) and received it againe from him: and then the Mayor conducted

176. The aforesaid Thanksgiving solemnized.

them all to *Chriſt-Church*, where the Commons, Councell of State, Generall, and his Officers, together with the Mayor, Aldermen, and Common Councell, &c. mocked God with their Devotions, where Maſter *Tho: Goodwin*, and M. *Owen* preached out of the Politicks to them; from thence they were conducted to a great Dinner at *Grocers hall*, and entertained in the quality of a *Free-State*: no man being admitted without delivering his Ticket. They were all ſtrongly guarded with Souldiers, and every Cooke had an Oath given to be true to them, which ſhewed they had more of fear and guilt than confidence and innocency within them. Great Preſents of Plate given to his Excellency *Fairfax*, and to his Super-excellency *Cromwell*, and to others, fit to be chronicled in *Stowes*, and *Hollingſheads* Volumes, amongſt other ſolemn Fooleries; let it not be omitted that *Hugh Peters* & many other Saints were too full of the Creature (*anglice*) Drunk.

177. A neceſſary advertiſement to all honeſt Presbyterians. See K. *Charles* the Firſt his Book, [*The portraicture of His Majeſty in His ſolitudes and ſufferings.*] Some over-haſtily expect the King ſhould ſatisfie the Presbyterians by His Declaration? but the height of the Independents malice & their guilty fears are ſuch as may endanger the drawing on a Maſſacre upon them by ſuch a courſe.

I am to give a neceſſary advertiſement to all men, that though the young KING ſhewes much reſpect and a deſire of reconcilement (according to his dead Fathers never dying preceps) to all moderate men and Presbyterians that make Addreſſes to Him, yet it is complained of by ſome (who look not into the underminning practiſes of our new Statiſts) that ſome few of His Counſellors and Followers are as violent againſt the more moderate and honeſt Presbyterians, as againſt the Independents who murdered His Father; but theſe zealous Royaliſts are either ſome paſſionate light-brain'd men of little diſcretion and leſſe power with Him, or elſe ſome falſe-hearted Penſioners to our new State, and ſuch as have under-hand an Indemnity for their owne Eſtates in *England*; who ſtand like Scar-crowes about His Majeſty to fright away ſuch as returne to their Loyalty, and tender their due Allegiance to Him, thereby to weaken the hands of His Majeſty, and cut off the hopes of this Nation from depending upon Him, who as our undoubted Soveraigne (both by the Lawes of God and the Land) and Gods Vice-gerent in His three Kingdomes, onely can and will (if we forſake not him and our ſelves) free and protect us from the many headed, miſerable, arbitrary tyranny we now ſtarve and bleed under; and reſtore unto us againe our Religion Lawes and Liberties, our Wives, Children, and Eſtates, Trading, Husbandry, peace and plenty now held.

held in more than Ægyptian bondage, under our cruell, bloody & thieviſh Task-maſters, *Remember his deceaſed Majeſties gracious Meſſages* frequently ſent for peace and reconcilement; *Remember His Conceſſions* to His Parliament upon the laſt Treaty; (more than ever any King granted to His People.) *Remember His pious, meek and Chriſtian Martyrdome* ſuffered for His People, which bitter Cup had paſſed from Him if He would have built up and eſtabliſhed this *Babel* of Tyranny now inſulting over us, and have turned our wel-mixed Monarchy into an Olygarchicall legall Tyranny, by adding His Royall Aſſent to their wicked Demands tendered to Him but two daies before His tranſlation form this valley of teares. *Remember His Poſt humus Booke to His Sonne, full of precepts*, favoring meerly of piety, Chriſtian wiſdome, charity and forgiveneſſe, to His very Enemies; and then judge whether our late King, or our uſurping Kinglings (now ſcratching and tearing us, making one Warre beget-another, perpetuating an Army, and domineering over us by the power of the Sword) were the naturall Parent whoſe bowels yearned upon this (now) Orphan Child, the Engliſh Nation dying and expiring under this new Corporation of Tyrants, (the putative Parent) which overlayed it? He that acknowledged Allegiance to the Father, cannot deny it to his Sonne, as having *ſworne to beare faith and true Allegiance to the King his Father, and to his lawfull Heyres and Succeſſours*; which our uſurping *Hogens Mogens* cannot pretend to be: ſo that as well for duty and conſcience to God and their owne Soules, as for a neceſſary and juſt protection of their lives and eſtates, all honeſt and wiſe men ought to caſt themſelves into the Armes of his Dread Majeſty our preſent KING, as the onely ſanctuary of their ſalvation, and not ſuffer themſelves to be ſo farre miſ-led by vaine reports, as to be more afraid of their cure than of their diſeaſe.

See a Booke, entituled, [*His Majeſties Gracious Meſſages for Peace.*] and Maſter *Pryn's* Speech, 5. *Dec.* 1648. in the Houſe. And the ſecured Members Reply to the Councell of Warre.

1 King. 3.

Oath of Allegiance, & Stat. of Recognition, 1 *Iacobi.*

Stultorum incuratæ pudor malus ulcera celat.

Solomon hath ſhewed you out of the Cabinet of Nature the difference between a Natural-Mother and a Step-mother; and that you may ſee the difference between a natural King, correcting his owne people with fatherly compaſſion for examples ſake; and a Uſurper, wounding, killing and robbing (thoſe which are none

Dictum de Kennelworth

of his owne) his fellow Servants for his luſt and lucre ſake, I will ſet downe a ſhort Abridgement of our owne famous *Dictum, de Kennelworth*, and firſt the occaſion thereof, which was thus:

Simon de Montford, Earle of *Leiceſter*, conſpiring with many other great Men, rebelled againſt *Henry* 3. pretending (after the manner of all Rebels) *Reformation of publique Grievances*. He overthrew the King in battle, took Him and his Sonne Prince *Edward* Priſoners; the Prince after a while eſcaped out of Priſon, raiſed an Army, overthrew and ſlew in the Battle of *Eveſham Simon Montford*, ſubdued the whole Party, reſcued and re-inthroned his Father. Commiſſions were ſent forth to prevent future troubles, and ſettle mens minds grown deſperate with feare what horrid puniſhments ſo horrible a Rebellion would bring upon them: The reſult of all is contained in the ſaid *Dictum de Kennelworth* as I find it in *Magna Charta veteri*, *fol.* 60. *part.* 2. obſerve the moderation of it; No man bled to death for it but in the field; the bloud of warre was not ſhed in time of peace: the King did not ſlay thoſe whom he had taken with his Sword and with his Bow, but reaſonably fined them, not unto deſtruction; though the knowne Lawes called them *Traytors*, and put them into his power for life, lands and goods; they were but once puniſhed, not alwaies tormented and kept upon the rack, after the late cuſtome of our fellow Servants and Subjects; who will never ſuffer the partition wall between us to be throwne downe, *England* once more to become one Nation, and one People; and our broken bones to be againe ſet and knit together.

See the late Hiſtory of the Marqueſſe of *Montroſſe* what gentle uſe he made of his Victory after he had ſubdued the ſtrength of *Scotland* at the Battle of *Kilſythe*.

Dictum

Dictum de Kennelworth.

None to be Diſ-inherited, but onely fined: As namely, Thoſe

1. *That began and continued in Warre.* 2. *That held* Northampton *againſt the King.* 3. *That fought againſt him at* Lewis, Eveſham, Cheſterfeild. 4. *That were taken at* Kenilworth. 5. *That ſacked* Winchſter, *being yet unpardoned.* 6. *That voluntarily ſent againſt him, or the Prince.* 7. *The Officers of the Earl of* Leiceſters *who moleſted their Neighbours with Rapine, Fire, Murder, or otherwiſe, to pay in three yeares five yeares value, and half their Eſtates of Land. If they ſell it, ſuch as are by the Kings grant poſſeſſed of them to have them giving as any other, &c. and ſo if it be to be Let, thoſe who pay the whole to have all inſtantly, and that pay halfe, to have halfe: If in three yeares the whole be unpaid, the Land to be divided between him that owes it, and him to whom the King hath given it. If any have Woods by ſale of which he would pay his Fine, the money to be paid by two, of which either ſide to chuſe one.*

2. *Knights and Eſquires, who during this Warre have enriched themſelves by Rapine, having no Land, to pay half their goods, and be bound with Sureties to the peace; if no goods be quitted by Oath,* exceptis bannitis quibus ſolus Rex poteſt remittere.

3. *Lords of Wards to pay for them, and be anſwered by their Wards when they come to age; which if they accept not, the Wardſhip to accrue to ſuch as the King hath given the Ranſome to, and they to be ſo anſwered.*

4. *The*

4. *The Kings Wards to remaine where they are placed, and be Ranſomed as others, but without deſtruction.*

5. *Such as were with the King before the Battle of* Lewis, *and ſince are Diſ-inherited, His Majeſty to declare his pleaſure touching them.*

6. *No man now poſſeſt of wood to ſell any but onely for repaire till the laſt day of payment be paſſed and not obſerv'd.*

7. *The King and the Popes Legate to ſend beyond ſea for a time ſuch as are likely to trouble the peace of the Kingdome, which if it hindered the paying of their Ranſome, not for that to be Diſ-inherited.*

8. *Such as were grieved with this Agreement might appeale to the Kings Court before S.* Hilary, *and ſuch as were beyond ſea to have* inducias tranſmarinas.

9. *Becauſe the King was to reward many and ſome had too much, the King out of theſe Fines to provide for them.*

10. *The Legate, King, and* Henry d'Almain *to Elect*
12. *who ſhould cauſe theſe Articles to be executed, and to ſee performed what they ordaine, according to the eſtimates already taken, or if not to have new rates taken reaſonable and true.*

11. *Tenants tha were againſt the King to loſe their Leaſes; but at the expiration of their time the Land to returne to the true owner.*

12. *Forts*

12. *Forts built by the aſſent of the King, but without that of the Perſon diſ-inherited, after the Fine paid in three yeares, to pay the coſts of building of it in ſix yeares, or receive a reaſonable exchange in Land.*

13. *Such of the Lay as apparently drew any to the part of the Earle of* Leiceſter *to pay two yeares Revenue.*

14. *The Buyers of other mens goods wittingly, to reſtore the value of that they have bought, and be at the Kings mercy, becauſe that they did was againſt juſtice.*

15. *Thoſe that at the Earls command entered* Northampton, *yet fought not, but entered the Church.*

16. *Such as held not of the Earle, yet at his command entered to the action with him to pay half one years Revenue.*

17. *Such as held of the Earle to be onely at the Kings mercy.*

18. *Impotent Perſons, and ſuch as did nothing to be reſtored to their Poſſeſſions, and by juſtice recover their damages, their Accuſers puniſht by Law, yet without loſſe of life or limb.*

19. *Malitiouſly accuſed to have their Eſtates immediately reſtored.*

20. *Women to have their owne Lands, and what they had of their firſt Husbands; if their late Husbands were againſt the King to be reſtored according to Law, or Fined.*

21. *None to be fined but ſuch as were againſt the King.*

22. *Such as have been Pardoned to remaine ſo.*

23. *Thoſe that are fined to anſwer no Loſſe done to any, but all damages to be remitted on every ſide; except thoſe that intermedled not, and of the Church whoſe actions are ſaved.*

24. *The King by reaſonable Exchange to receive the Caſtles of* Erdſley-Biſhop, *and* Chartley, *it ſeeming dangerous to leave Forts in their hands who have carried themſelves ill towards the* King.

25. *Thoſe that in the future ſhall commit any outrages, to be puniſhed by Law.*

26. *An Oath to be taken where it ſhall be held convenient, not to purſue each other with revenge; and if any ſhall attempt the contrary, to be puniſhed according to Law.*

27. *The Church to be ſatisfied by thoſe that injured it.*

28. *Such of the Diſ-inherited as refuſe this Compoſition to have no Title to their Eſtates, and to be eſteemed publique Enemies to the* King *and* Kingdome.

29. *Priſoners to be freed by the advice of the* King *and Legate.*

30. *No Perſon to be Diſ-inherited by reaſon of theſe Troubles by any to whom he ought to Succeed.*

You

You ſee what great care was here taken to prevent ſpoyle and waſte of Woods, &c. whereas in this latter Age the firſt thing taken into conſideration, is, how to raiſe ready Money by deſtruction of Woods, Houſing, and ſelling of the Stock to lay the Lands waſte, and decay Hnsbandry, to the endangering of a Famine for the preſent, and the Diſ-inheriting our innocent Poſterity for the future: ſo little care is taken to Keep that well which is ſo ill and illegally gotten. And how much regard was had to preſerve innocent Perſons from ſuffering wrong in any juſt claim or Title they could make to any Land poſſeſſed by a guilty Perſon: whether they claimed by Dower, Joynture, Title or Eſtate in Reverſion, or Remainder or otherwiſe? I wiſh the like juſtice were now obſerved.

178. The loſſe of Ships at *Kingſale* ſuppreſſed, and miſreported in the Houſe, and why.

Monday night, 4. *Iune*, 1649. that third part of a Lord Admirall, Col. *Edw. Popham* came to *Weſtminſter*, and preſently made his Addreſſes to the high and mighty Eſtates in *White-hall*, giving them a diſmall Relation of his ill ſucceſſe in tampering with the Governour of *Kingſale* in *Ireland*; who (proving honeſter than the Saints expected) tooke a ſumme of money of him to betray the Towne, Forts, and Ships in the Road: but when *Popham*, came in to the Haven to take poſſeſſion of his new purchaſe, gave him ſuch a Gnn-powder welcome that he loſt moſt of his Men, landed to take livory and ſeaſin, and divers Ships: he was commanded to conceale this Ill newes, leſt it diſcouraged the City to engage ſo farre with them, as to entertaine them in the condition of a Free-State, and ſurrender the Sword to them, and ſo ſpoile the Deſigne of their Thankſgiving Devotions and Dinner to be celebrated together in, and with the City upon Thurſday enſuing the 7. of *Iune*: and leſt it ſhould diſhearten more ſecluded Members from comming to ſit in the Houſe with them againe, knowing, *that Tyrants are followed for their fortunes, not for themſelves:* wherefore upon Tueſday following (being the 5. *Iune*) *Popham* made another kind of Report to the Plebeians of the Commons Houſe (who muſt not be truſted with the truth of State-myſteries, but (like Wood-cocks) muſt be led in a miſt) *That he had left* Kingſale *blocked up with ten Ships, and the Seas ſecured in peace and quietneſſe*: and the better to adorne the fable, and ſuppreſſe the truth from approaching the ears of the people.

the Houſe that day (5. *Iune*) paſſed an Order, *That for this remarkable additionall mercy beſtowed upon them in the proſperous ſucceſſe given to their Fleet at Sea, upon Thurſday next,* 7. Iune (*the day ſet apart for publique Thanksgiving*) *the Miniſters ſhould praiſe God.* Lord! ſince theſe audacious Saints are ſo thankfull to thee for one beating, beſtow many more beatings upon them, for they ſtand in need of all thy corrections The like attempt hath been upon *Scilly* with the like ſucceſſe, ſince which time forty ſayle of Ships are preſſed in the *Thames* to recruit their ſhattered Navie; given forth *to be a Winter Guard* at Midſomer.

Scout, from *Iune* the 8. to 15. 1649.

179. Gifts given amongſt the Faction.

John Blackiſton is packed away to the other world; and the Houſe upon 6. *Iune*, voted to his Wife and Children 3000l. out of the Earle of *Newcaſtle's*, and Lord *Wytherington's* Eſtates, in compenſation of the loſſe of his pedlery Ware, in his Shop at *Newcaſtle*; he had formerly given to him 14000l. you ſee the inſatiate hunger of Gold and Silver ſurvives in the very Ghoſt of a Saint after he is dead. 500l. more was given to *Iohns* Brother; an Eſtate out of the Rectory and Demeſnes of *Burford* was ſetled upon the Speaker. 4000l. *per ann.* Lands are to beſetled upon the Generall out of the Duke of *Buckinghams* and his Brother the Lord *Francis Villers* Eſtates. 400l. *per ann.* out of *Claringdon-Parke* upon the Earle of *Pembroke*. 1000l. was beſtowed upon an eminent Member of Parliament for his many good Services. 4868l. to the Lord *Liſle*, out of the Monthly Aſſeſſment for *Ireland*, for his penny-worth of good ſervice done there; you ſee to what purpoſe we pay Taxes. 2000l. Land *per an.* and 1000l. Money given to *Bradſhaw*, the price of Bloud. And 400l. more given to the Poor of the City (to ſtop their mouths from curſing upon the Thankſgiving-day) out of the 2000l. Fine ſet upon the Lord Mayor *Reynoldſon for not proclaiming the Act for aboliſhing Kingly Government*; this is (according to the Spaniſh Proverb) *To ſteale a Sheep and give away the Trotters for Gods ſake.* You ſee the Saints can find Money to give Gifts, though not to pay Debts; although the Publique Faith lie at pawne for them. A Committee is appointed to conſider how to preferre Mr. *Tho: Goodwin* and Mr. *Owen* to be Heads of Colledges in *Oxford* as a Reward for aſſerting the late proceedings of Parliament upon the aforeſaid Thankſgiving-day. It is not fit ſuch men ſhould

ſerve

ſerve God for nothing: in the times of S. *Peter* and S. *Paul*, *Godlineſſe was great Gaine*; but in the daies of our moderne Saints, *Gaine is great Godlineſſe*.

180. The Exciſe enlarged upon Salt.

The thing that miſcalls it ſelfe *a Parliament*, hath ſet an Exciſe of Id. the Gallon upon all forraigne Salt imported; which is, in effect upon all the Salt we uſe, (our home-made Salt being inconſiderable) you ſee our Cups, our Spits, our powdring Tubs, our waſhing Bowles, our Kettles, our Hats. Dublets, Breeches, Stockings, Shoos; nothing we uſe, eate, drink or weare, is free from being devoured by theſe ſanctified Locuſts of the Free-State, who complained of the King for that petty inconſiderable Tax of *Ship-money*, which His Majeſty ſpent in maintaining Guards of Ships upon our Seas, ſo much to the Honour of our Nation, that the King of *Spaine* truſted all thoſe vaſt ſummes of Bullion he ſent to the *Low Countries*, to be Coyned in our Mint, and above a third part yearly to be layd out here in Engliſh Cloth and Commodities, which with the reſidue of the Spaniſh Treaſure was afterwards wafted over into *Flaunders* in Engliſh Bottomes, for which they were liberally payed; whereby every mans Eſtate was increaſed 10l. in the hundred, *England*, infinitely abounded with Coyne and Plate, as appeares by thoſe many vaſt ſummes that have been conſtantly extorted from the People ſince the beginning of theſe Warres; more, I dare ſay, than all our Kings ſince the Conqueſt, excluding *William the Conquerour* and *Henry the Eighth*) euer raiſed upon the People) and by thoſe many vaſt ſummes our ſeeming Saints have ſent into Banks beyond Sea, and buried in their private Coffers.

181. A Vindication of the Levellers in ſome things? and a farther deſigne to garble and enſlave the Army.

Reader, let me admoniſh thee, That the Levellers) for ſo they are miſ-called, onely for endeavouring to Levell the exorbitant uſurpations of the Councell of Officers and Councel of State) are much abuſed by ſome Books lately printed and publiſhed in their names, much differing from their declared Principles, Tenets, and Practices; but forged in *Cromwells* and *Iretons* ſhops to caſt an *odium* upon them. Theſe State-wolves by ſuch forgeries endeavour to make the Sheep forſake and betray the Dogs that faithfully guard them; that they may with more ſecurity fleece them, ſlay them, and eate them hereafter. *Ireton*, *Haſlerig*, and Poſtmaſter-Attorney *Prideaux*, by themſelves and their

Bloud-hounds, (Spies and Intelligencers) have been very diligent to draw dry-foot after M. *Lilborne*, *Walwine*, &c. and ſuborne witneſſes againſt them, but (not having yet quite extinguiſhed all ſparks of truth and honeſty, unleſſe it be in their owne breaſts) failed of their purpoſes. Yet they goe on to purge the Army (as they have done the Parliament and Conventicle of State) of all free-borne humours (in order to their deſtruction) that the Army may conſiſt of meere mercenary bruitiſh ſpirits, ſuch as will ſo far neglect the duties of men and Chriſtians, as to execute all their tyrannous, bloudy, illegall Commands, with a blind obedience and implicite faith, without asking a queſtion for Conſcience ſake, the better to enſlave both the Kingdome and Common-Souldiers. In farther proſecution of this Deſigne, they have projected to levy ſeven new Regiments, which (by way of Gullery) they call *Presbyterian Regiments*, and ſhall be raiſed by Presbyterian Commanders, but thoſe Commanders ſhall onely be imployed to countenance the work for a time, and then for pretended offences be purged out of the Army, if not out of this world, by the Councel of Officers: and more confiding men put in their roomes: and then ſhall theſe new Officers and Regiments be uſed as Catch-poles and Hang-men (contrary to the honour of Souldiers) to perſecute and execute ſuch Members of the Army as retaine any ſenſe or memory of their old Engagements and Principles.

* 182. The pretended Parliaments Councell of ſtate and officers confederated with *O-Neale*. See *An After-game at Iriſh. &c.* 1649. and the Propoſitions printed at *Cork* and reprinted at *London*. From *June* 6. 1649. *June* 8. 1649.

* I formerly told you of an underhand combination between the domineering Independent party here, and *Owen Roe Oneale*: which is now openly declared and avowed by their owne licenced News-books. *Owen Roe* and Colonel *Monke* are joyned (ſaith the *Modeſt Narrative*) our Party have permitted 300. of *Oneals* own Regiment to Quarter in our parts amongſt the Creats within two miles of *Dundalke*, (ſaith the *Scout*) *Owen Roe* and *Berne* are come towards Col. *Iones*, and Col. *Monks* Quarters, he is ſo faire as to pay Contribution: his Quarters are to the Scots ſide of *Dublyn*, to preuent their giving ayde to *Ormond* in his attempt upon *Dublyn*: who can blame neceſſity? nor doe our Grandees now deny this Confederacy with the bloudy Popiſh maſſacring Rebels, although they had the impudence to make the only ſuppoſition thereof one of the principall Charges againſt

Moderate Intelligencer, from *June* 7. to 14. 1649. num. 221.

againſt the late King; and to raiſe a great out-crie againſt the Marqueſſe of *Ormond* and Lord *Inchiquine* for their conjunction with *Preſton*: yet they joyned but to prevent the *Cromwelliſts*, who offered to aſſocitate with him upon conditions much more prejuditiall to the Proteſtant Religion, and Engliſh Intereſts, han *Ormond* hath given them. They have offered this *Oneale* all the Lands in *Vlſter* forfeited by his Grandfather *Tyrone*, *Shane Oneale* and others attainted, thereby deſtroying the Britiſh Planters there; and this is the reaſon they imploy ſo few old Iriſh Commanders into thoſe parts, leſt the *Oneals* ſhould doubt they came to recover their owne Lands againe. But our Atheiſticall Saints account themſelves looſe when other men are bound, nothing but a Halter can hold them; all obligations to men, all duties and Vowes to God, they break upon *pretended neceſſity and honeſt intentions*. Their Metropolitan Nuntio, *Iudas Haclet*, tells you, *Their Party will not joyne with the bloudy Iriſh, untill they are brought to ſuch a pinch, as to ſay*.

See the Councell of Warres Anſwer concerning the ſecured and ſecluded Members? from 6. *Iunii*, to 13. num. 3.

Flectere ſi nequeo ſuperos Acheronta movebo.

If God will not be Authour and Patron of their Deſignes, the Devil ſhall; you ſee theſe Independents hang between God and the Devill, *Michael* and the Dragon, not reſolved which part to take.

183. *Parker* the Obſervator.

Be it known unto all men by theſe preſents, that *Harry Parker* the Obſervator is returned from *Hamborough*, and highly preferred to be Brewers Clerke, (*alias* Secretary) to *Cromwell*; to whoſe Deſignes he hath proſtituted his pen.

184. *Miltons* Booke, *The tenure of Kings and Magiſtrates, &c.*

There is lately come forth a Booke of *Iohn Miltons* (a Libertine that thinketh his Wife a Manacle, and his very Garters to be Shackles and Fetters to him: one that (after the Independent faſhion) will be tied by no obligation to God or Man) wherein he undertaketh to prove, *That it is lawfull for any that have power to call to account, Depoſe, and put to Death wicked Kings and Tyrants (after due conviction) if the ordinary Magiſtrate neglect it.* I hope then it is lawful to put to death wicked *Cromwells*, Councels of State; corrupt Factions in Parliament: for I know no prerogative that uſurpation can beſtow upon them. He likewiſe aſſerteth,

aſſerteth, *That thoſe, who of late, ſo much blame Depoſing, are the men that did it themſelves*, (meaning the Presbyterians.) I ſhall invite ſome man of more leiſure and abilities than my ſelfe to Anſwer theſe two Paradoxes: But ſhall firſt give him theſe cautions:

1. That for the Polemick part he turne all his Arguments into Syllogiſmes, and then he will find them to be all Fallacies, the froth of wit and fancy, not the Dictates of true and ſolid Reaſon.

2. That for the Hiſtoricall or narative part he would throughly examine them, and he will find few of them conſonant to the plumbline of truth.

3. That he would conſider that from the beginning of this Parliament there were three Parties or Factions in it:

1. The *Royaliſts*.
2. The *Presbyterians*.
3. The *Independents*.

For though they were not then notorious by that name, yet the Perſons confederated were then extant and active; being a complication of all *Antimonarchicall, Anarchicall hereſies and ſchiſmes, Anabaptiſts, Brownists, Barrowiſts, Adamites, Familiſts, Libertines* of all ſorts; the true Heyres and Succeſſors of *Iohn of Leyden* and *Knipperdalling* in all their principles and practiſes united under the generall Title of *Independent*: and theſe were originally the men that by their cloſe inſinuations, ſolicitations and actings began, and carried on the Warre againſt the KING, with an intent (from the beginning) *to pull down Monarchy, and ſet up Anarchy*, notwithſtanding the many *Declarations, Remonſtrances*, abortive *Treaties, Proteſtations*, and *Covenants to the contrary*; which were Obligations (from time to time) extorted from them *by the Presbyterians*, although not ſtrong enough to hold ſuch ſubtile *Sampſons*, whoſe ſtrengths to break ſuch Wythes lay not in their Buſhes of Hair, but in the Ambuſhes of their Hearts, wherein there alwaies lay hid ſome evaſion, equivocation, or mentall reſervation, which, like a back-dore, gave them leave to make an eſcape. In the beginning almoſt of this Parl. the *Independents* (that is, the *Schiſmaticks*) in the Parliament inſiſted openly upon it, *to have the Papiſts in* Ireland *rooted out, and their Lands ſold to Adven-*

See the Myſtery of the 2. Iunto's Presbyterian and Independent.

Adventurers, and *paſſing an Act* to that purpoſe, néceſſitated the *Iriſh Papiſts* to *maſſacre* the *Engliſh Proteſtants*; which was purpoſely done by the *Independents*, that both *Papiſts* and *Proteſtants* might deſtroy one another there, that they might the better ſubvert Proteſtancy in *England*, which is now in hand. And though it be true that the firſt Generall, the Earle of *Eſſex* was a *Presbyterian*, yet he was acted by *Independents*, as the L. *Say*, and others, of the like ſtamp; and had a clauſe in his Commiſſion, [*to forbeare the* KING's *Perſon:*] which clauſe upon the *Independents* new Modelling the Army under *Fairfax* was omitted at their eſpeciall inſtance.

Monday, 18. *June*, 1649. came forth that moſt uſefull Booke of *John Lilburnes*, called, [*The Legall fundamentall Liberties of the People of* England *Revived, &c.*] wherein he excellently well ſets forth *the new uſurped tyranny of that Hydra of* Nimrods *now ſubverting our Lawes, Liberties, and Property, conſuming us with illegall Taxes, Exciſe, Free quarter, Monopolies; and ſhaving Land, Money, Goods, and Offices amongſt themſelves, perpetuating an Army to enſlave us, and overthrow the fundamentall Government of this Nation*, in order to which *they have complyed with and cheated all Intereſts, broken all their Obligations to God and Man; violated all the Lawes of this Land, their owne Proteſtations, Covenants, the Oathes of Allegiance, Supremacy,* (which themſelves cauſed the People to take) *and their owne Votes, Declarations, &c. The illegality of their late erected High Court of Iuſtice, and their unjuſt proceedings therein, the tyranny and uſurpation of the Councell of State and Officers of the Army.* And proveth, *that Col:* Prides *new purged, new packed Houſe, is neither a Houſe of Commons, nor Parliament; their uſurped Supreme Authority to be a meer nullity or fiction*; and eſpecially, *That this Parliament is cleerly diſſolved and ended*, which he proveth *by the Death of the King*, and by many other ſolid Arguments; *and therefore all their Actings to be void and null*: with many other conſiderable paſſages, where he ingeniouſly confeſſeth, *that being the Kings Priſoner at* Oxford, *with many other of the Parliament Party, the King did ſtrictly obſerve the Lawes of the Land in His proceedings againſt them, which this Parliament doth not doe in any their moſt legall proceedings, for all their pretended Engagements, Declarations, Votes, Proteſtations and*

185. L. C. *Lilburnes* Booke, [The Legall fundamentall Liberties of the People, &c.]

Covenants to maintaine and defend the Lawes and Liberties of the People, Ergo, the King *really*, the Faction in Parliament but *pretendedly fought for our Lawes and Liberties.*

186. Tythes to be Sequeſtred for the State.

The Faction are now contriving *to ſeize all the Tythes of the Kingdome into their owne hands*, (yet they are the Miniſters Freehold) *and to make all the Miniſters their ſtipendary Lecturers*; that they may *preach and teach* onely ſuch Doctrine to the people as may bring them under a blind and ſlaviſh obedience to our *forty Tyrants of the new Councell of State*, preſuming that all our Miniſters carry their Conſciences in their purſes, becauſe the *Independents* doe ſo. Looke to your waies Chriſtian Brethren, you are likely hereafter to have *Oracles of State* obtruded upon you inſtead of the *Oracles of God*. If the Miniſters will not parret forth the new States Doctrine to you, they ſhall be ſtarved out of their Pulpits.

187. An Adjournment of this pretended Parliament conſidered of.

The thing called *a Parliament* is now likely to have ſo generall a purge as will leave neither life nor ſoule, dung nor guts, in the belly of it. K. *Oliver* (unwilling to go for *Ireland*, and leave them ſitting, who may unvote all he hath compelled them to vote) hath commanded his Iourney-men to think of an *Adjournment* for ſome good time, that they may take the ayre, and grow wholſome againe; and then (without ſome dire miſchance) they never meet more: but *this Supreme thing* hath learned to uſe ſo much modeſty *to their Superiors*, as to referre it to the *Hogens Mogens*, or *Conncell of State*, to *conſider what Votes and Acts they ſhall paſſe beforehand for eſtabliſhing their Highneſſes in their new Dominion*; And when (out of their uſurped *Supreme Authority*) they have conferred as much upon *the Councell of State* as their ambitions ayme at, they (good Boyes) ſhall have leave to breake up Schoole and go into the Countrey to *ſee their Friends*, and *viſit their Foes*: that is, all ſuch as have full purſes to be ſqueezed. Thus you ſee *the method of Divine vengeance obſerves a Degradation*: 1. *Downe went the King*, and His Authority lapſed into the two Houſes. 2. *Downe went the Peers Houſe*, and all Authority fell downe into the Commons Houſe. 3. *Downe goes the Houſe of Commons*, and *the Supreme Authority* tranſlates it ſelfe into a *Councell of State*. And (if my conjecture faile me not) 4. *Downe will go the Councell of State, and all Authority be graſped into the*

iron

iron hands of Campſon Gaurus *and his Mamaluchy, his Councell of Warre*, when they ſhall think fit to Act bare-faced without uſing a packt pecce of a *Parliament* or *Councell* of *State* as a ſcreen or vizard to cozen and befoole the people.

In order to which *Government by the Sword*, *Cromwell* is voted *to go into Ireland with his owne confiding Officers and Army, with all power Civill and Military for 3 yeares*: what doth this import leſſe than that he is to be *K. of Ireland*? there to practiſe the firſt rudiments of Kings-craft, and when he hath inured thoſe Semi-barbarians to *a Military Government*, he ſhall returne with his *Ianiſaries* and ſubdue *the Engliſh* to the like obedience: In the meane time *his proporty Fairfax* ſhall be under the obſervation of *the Councell af State* here, and be, beleaguered both in his owne houſe and Army with *Olivers* Creatures; and in this diſhonourable fickle condition he ſhall have the vaine honour to keep *Olivers Regalia*. (the Crowne ſitting upon one ſide like a Fooles Cap upon his Head) untill he returne, and ſhall then be called to account for all odious & unfortunate accidents that ſhall happen (for it is not for the Majeſty of *Oliver* to beare the blame, although they fall out by *Cromwell's* owne overſights, or Gods anger upon him) thus *Cromwell's* ſhadow being removed, himſelfe may take ſubſtantiall and actuall poſſeſſion of the Throne which he already enjoyes in all things but the *Title*. And then let all true Saints and Subjects crie out with me, *God ſave K. Oliver and his brewing Veſſels*.

188. *Cromwell* voted for *Ireland* with ful power Civill and Military.

The *Iunto* of *Tituler Supremiſts* at *Weſtminſter* (eſpecially ſo many as have not packt themſelves into *the Councell of State*) are very unwilling to quit their long-held Dominion, and ſubmit to their owne Baſtard brood, *The Lords States at White-hall*; but there is no remedy, *Oliver* is reſolved to unyoke his Cattle and turne them to graſſe; he knowes they may unvote all they have voted at his command, if (during his abſence in *Ireland*, or *Scotland* rather) a new emergent power ſhould overawe them; the preſent feare being alwaies moſt terrible to Cowards. But *the Councell of State* hath ſet them their taske, which they muſt ſpeedily performe before they Adjourne, conſiſting of 13. Poynts:

189. 13 Bills injoyned to be paſſed by the Commons before Adjournment.

1. *That all Acts concerning the Loans of Moneys, Exciſe, Sequeſtrations, Goldſmiths-hall, Haberdaſhers-hall, Aſſeſments for* Eng-

land *and* Ireland *be paſſed.* Theſe reprobate Saints will ſooner forget their God, then their Mammon, [money.] You ſee they meane to perpetuate our burdens, as well as their owne Army; and domineer over us with an arbitrary, military tyranny for ever.

2. *That an Act be paſſed for ſetling the Militia of the Nation.* This amounts to *a new invented Commiſſion of Array* (lawfull for uſurping Saints, though not for a lawfull King) by vertue of which *the ſcum and dregs of the people.* (baſe enough to aſſociate with the Army) *ſhall be Armed,* and all men of quality & fortunes (unleſſe ſuch as owe their fortunes to their crimes) diſ-armed.

3. *Againſt exporting Wooll and Fullers Earth.* Unleſſe it be for the benefit of the Saints.

4. *To prohibite exportation of Gold and Silver.* The Saints have exported all our Gold already, and moſt of our Silver; and will never give over the Trade themſelves though they prohibite others. But Gold and Silver are drawne out of Mines Royall, and belong to the Saints by their prerogative.

5. *An Act to be paſſed for puniſhment of Revolted Sea men and Mariners.* None againſt trayterous, tyrannous, thieviſh Saints.

6. *An Act for relief of Well-affected Tenants againſt Malignant Land-lords; who having compounded for their Eſtates, rack their Tenants Rents, or turne them out of dores.* This is a device: Firſt, to make worke for ſuch Members as not being of *the Councell of State,* would become as contemptible as they are hatefull, being deveſted of all power to play the Tyrants after Adjournment. And ſecondly, to ſtirre up all the Tenants of *England* (eſpecially *Schiſmaticks*) to combine with them, againſt their Land-lords; and deprive them of the legall uſe of their Eſtates, and the benefit of their Compoſitions; for, to what purpoſe ſhall Gentlemen compound for their Eſtates, when they muſt *let* and *ſet* them at the diſcretion of domineering Committees, or Commiſſioners, conſpiring with the high Shoos, to oppreſſe, make a prey of, enſlave and unſpirit all the Nobility and Gentry of *England* here aymed at under the generall Title of *Malignants*? oh perfidious Tyrants! keep your money Gentlemen, or turne it into iron and gun-powder.

7. *An Act to ſuppreſſe Malignant Pamphlets aſperſing the preſent proceedings*

proceedings of the Parliament, Councell of State, and the Army, and prevent Printing as much as may be. This is to ſet Truth in the pillory, whilſt her counterfeit, impudent lying and ſlandering ſits in ſtate *in Parliament, Councell of State,* and *Councell of Officers,* and rides triumphantly Coached into the City to Thankſgiving Devotions and Dinners.

8. *That the Pulpits being as ſcandalous as the Preſſe againſt their proceeding; they enjoyne that a more ſtrict courſe be taken to ſtop the mouthes of the Preachers hereafter.* You ſee how *Ahab*-like theſe Subverters of Church and Common-wealth, accuſe our Prophets *for troubling our Iſrael* (being their owne ſinne) and ſeek occaſion to bring *a ſpirituall* as well as *a corporall famine* upon the Land, cutting off *the ſtaffe of bread* as well *from our ſoules as bodies*, by ſtopping the mouthes of Gods Meſſengers. But I hope they will remember the duty they owe to the honour of him that ſent them upon his Embaſſage to his people, and fearing God more than Man, every Man crie out to his owne ſoule and conſcience with S. *Paul*, 1 *Cor.* 9. 16. *Væ mihi ſi non prædicavero, Woe be to me if I doe not Preach.* 1 King. 18. 17.

9. *That an Act be paſſed that that clauſe of the Stat.* 23 *Eliz.* 25 *Eliz.* 1 *Iac. againſt Sectaries ſhould be repealed, that none may be queſtioned thereby in the vacancy of Parl.* What is this but to pray in ayde of Turks, Jewes, Anabaptiſts of *Munſter*, nay the Devill himſelfe to joyne with them as they have already joyned with *Owen Roe Oneale*, and his bloudy maſſacring Iriſh Papiſts againſt the Proteſtant Religion, which was part of the deſigne of the ſchiſmatical Party in Parliament in waging war againſt the King from the beginning. See §. 184. the Marginall Notes there. This impious Liberty of Conſcience to deſtroy the Proteſtant Religion is all the liberty we are like to enjoy under the kingdome of theſe bloudy cheating Saints, in all things elſe we are meer and abſolute Slaves.

10. *That an Act for a Generall Pardon be paſſed to all Perſons except ſuch as are particularly named therein, and declaring no Pardon to any that ſhall for the future raiſe Warre in this Nation againſt the preſent Authority thereof.* This is a project, 1. *To pardon themſelves and their Party* for their tranſcendent villinies, and to ſtop the mouthes of the Countrey from complaining of them after

their Adjournment, and this ſhall be effectually done, 2. *To befoole ſilly weak ſpirited People with general Words of a Pardon* which ſhall be made ineffectuall by many exceptions and limitations. 3. *This is principally intended to fright men from attempting any thing againſt the uſurped Supremacy and Tyranny of the Councell of State:* and therefore all Pardons to ſuch Attemptors are beforehand declared againſt. This with them (as a ſinne againſt the Holy Ghoſt) unpardonable; to deny their Supreme, arbitrary Authority.

11. *That the Act for reliefe of poore Priſoners for Debt may be paſſed.* Though I can with as much Charity as any Man wiſh a reliefe to them; yet *I like not that Charity ſhould be made a cloak to ambitious Knavery*; and all the Creditors of the Kingdome be made liable to the vexation of a covetous Committee, who *under colour of Charity ſhall raiſe up all the indebted Men of the Kingdom againſt all the monied Men, if they will not ſacrifice their purſes to the Eeh Gods of the new State, and be bountifull to the Committee*; which is the full ſcope of this Propoſition.

12. *That the Souldiers may be ſecured their Arreares out of the late Kings Lands.* This is to tie all the Souldiery by the purſe-ſtrings (which is Saints Tenure) to make good that horrid, trayterous Murther.

13. *That an Act be paſſed for Probate of Wills, Granting Adminiſtrations, and Inveſting of Miniſters preſented.* Theſe lunatique Saints ſhould have thought upon a new way to be ſet up before they throw downe the old one, and not have left men in an uncertainty how to diſpoſe of their Eſtates, and a *Iuſtititum*, a vacancy of Iuſtice upon the Kingdom: you ſee what Mountebanks our new State-Iuglers are. The good Boyes began to learne theſe Leſſons upon Monday, 25. *Iune.*

190. Things undertaken by the Councell of State during the Receſſe.

The Councell of State likewiſe reported to their ſaid Free-Shoole of Commons *ſeverall things which they* (in order to their future greatneſſe) *would put into a Way during the Receſſe:* againſt the Houſes next meeting, when two Sundaies come together.

1. *That Commiſſioners be appointed in every County to make an eſtimate of all Tythes*, to the end they may be taken away for the future, and ſome other proviſion deſigned for Miniſters. *This is a Whip and a Bell to laſh Miniſters to Preach State-Divinity.*

2. *That*

2. *That the Councell of State conſider of ſetling future Parliaments, and the conſtant time of their calling, ſitting, and ending after this Parliament ſhall thinke fit to diſſolve themſelves.* If they are not diſſolved already, (which is the conſtant opinion of many great learned Lawyers wel-affected to the Parl.) they will never be diſſolved without the help of a Hangman. But I would gladly know by what Authority a Pack of forty Knaves calling themſelves *a Councell of State*, and uſurping Regall power ſhall take upon them to aboliſh our antient forme of Parliaments, contrary to the fundamentall Lawes of the Land, their own Declarations, Proteſtations and Covenants, and to pack and ſhuffle new Parliaments, to diſpoſe of our Religion, Lawes, Liberties, Lives and Eſtates, againſt the conſent of the farre major part of the people.

3. *That they ſhall conſider of an Act for regulating Proceedings in Law, and prevent tediouſneſſe of Suites.* There are too many Lawyers in the Councell of State to doe any thing effectuall that way; but it may be they will conſider how to make the Lawes of the Land more ſutable to an Olygarchicall tyranny, and leſſe agreeing with Monarchy.

4. *That they will conſider what Lawes are fit to be repealed.* That is, all Lawes enjoyning uniformity in Gods Worſhip, all Monarchicall Lawes, and all Lawes allowing more civill Liberty and Priviledges to the People, and to ſeverall Degrees of men than ſquares with the Deſignes of our new upſtart State.

So many men have been cheated with Publique Faith, Iriſh Adventures, and Biſhops Lands, that the Market is ſpoyled for ſale of Deane and Chapters Lands, wherefore the Saints (being the onely monied men left in the Kingdome) have now agreed to buy them themſelves, conſidering, that ſince they hold their Heads and all that they have *in Capite* of their Lords Paramount, *the Councell of Officers*, they may as well buy dog-cheap, and hold Biſhops Lands by the ſame Tenure. For which purpoſe they have their Broakers abroad to buy in Souldiers and Officers Debentures for Arreares at 5s. and 6s. in the pound, though they are allowed the whole ſumms of the Debentures in the Purchaſe. which doubling in ready money they purchaſe upon ſuch eaſie particulars as brings it downe from ten yeares purchaſe, to two or three years purchaſe. They are not ſeen in the buſineſſe themſelves

191. Deane and Chapters Lands purchaſed by the Godly.

ſelves, but buy them in other mens names, and to the ſecret uſe of their Wives and Children. The Lord *Munſon*, *Humphry Edwards*, and Sir *Greg: Norton*, (who hath ſold his owne Land to purchaſe now upon this Title) and many other Saints have lately trod this obſcure path.

192. Souldiers inſolencies remedileſſe.

Great complaints are made by the Countrey of the Souldiers inſolency (amongſt many other things) in putting their Horſes into mowing Graſſe. The Generall hath ordered the next Officer in chief to cauſe double damages to be given by the Soldier; and if the ſaid Officer neglect, he is to anſwer it at a Councell of Warre at the Head Quarters. This remedy is worſe than the diſeaſe, and as meer a gullery as the Act for taking off Free-quarter. The chief Officer will laugh at the Complainant, the Head Quarters are farre off, and the Councell of Warre will tyre him with delaies, and expoſe him to more injuries of the angry Souldiers. The Officers will not, nor dare not keep a ſtrict diſcipline.

193. The Earle of *Denbigh* and *Henry Martin* referred to Committees.

The Earl of *Denbigh* referred to the Committee of the Revenue to conſider the Arreares of his Ambaſſie in *Italy*, and of his 1000, Marks *per ann.* penſion beſtowed upon him by the late King. If his deſerts had been better, his Reward had been worſe, and worſe paid. Alſo *Henry Martins* Loſſes and Arreares referred to the conſideration of a Committee. If the Committee would know what *Harry* hath loſt, they muſt examine his Barber-Surgeon. *Rowland Wilſons* Arreares and Loſſes, and the L. *Gray's* Charges and Arreares to be conſidered and reported: you ſee charity begins at home, and the Members exerciſe it (for the moſt part) in their owne Houſe.

194. The Councell of State authorized to grant Letters of Marque.

June 25. An Act paſſed, *to enable the Councell of State with abſolute power to grant ſpeciall and particular Letters of Marque or Repriſall in the name of the Keepers of the Liberties of* England *by Authority of Parliament:* what is this but to empower the Councell of State to make warre at Sea with all Princes and States at their diſcretion? they have alredy ſo farre decayed all the Trade of this Nation, that ere long Traffique will be totally deſtroyed; whereby our Sea men with their Ships will be neceſſitated (for want of employment) to Revolt to the PRINCE: to prevent which inconvenience they will find worke for them by granting

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ſo many particular Letters of Marque to all ſuch as ſhall but pretend themſelves wronged by Foraigne Nations as will amount to a Generall practice and profeſſion of Pyracy, and turn *England* into a ſecond *Argires*, whereby all Princes and States will be provoked to make a Pyraticall Warre upon *England*; as againſt a Den of Thieves and Robbers, Common Enemies to Traffique and humane Society: as the Romans did under the Conduct of *Pompey*, againſt the Cilician, and other Aſiatique Pyrats.

195. Capt. *Youngs* blowing up the *Antilope* in *Helverſluce*; with a Caution.

Captaine *Younge* hath blowne up with Gun powder a Ship of the Princes, called the *Antilope*, lying at Anchor in *Helverſluce*, under protection of the States of *Holland*, whereby the Chamber of *Holland* and the honour of their inland Sea is raviſhed from them. By this, and by ſome former actions of the like inſolency (as the firing upon their Ships, and killing their men for not ſtriking Sayle to them) you may ſee what good Neighbourhood the Dutch are like to have of their younger brother State, when they are once ſetled and confirmed in their yet infant Government: even the very ſame which the Carthaginians found after the new erected Common-wealth of *Rome* grew up to maturity; which proved ſo dangerous a Competitor in point of power, profit, and honour, as buried the more antient Free-State of *Carthage* in its Ruines. *Free-ſtates (eſpecially Ariſtocracies) are very quarrelſome with their Neighbours, and never want many of their Patrician moſt potent Families ambitious to encreaſe their owne power and glory by Wars:* and therefore ſeek occaſions of quarrell with their Neighbours; ſuch was the whole Family of the *Barchines* at *Carthage*; the *Scipios*, *Fabii*, *Camilli*, *Graſſi*, *Pompeii*, *Cæſares*, and many more at *Rome*: Thus was *Greece* torne in pieces by its Free-ſtates.

196. More Gifts to the Godly.

The Commons have beſtowed St. *Croſſes* Hoſpitall upon *Cooke* for acting the part of an Attorny Generall againſt the late KING. It is fit every *Iudas* ſhould have his reward; the New Park in *Surry* beſtowed upon the City in reward of their Thankſgiving Dinner, that the new-packed Court of Aldermen and Common-Councell may not want venyſon to fill their Wives Bellies, nor they Browe Antlers to hang their Hatts on.

1974. Order 9. *Iune*, 1649. referring all ſecured and ſecluded Members to be examined before a Commitee.

The 9. *Iune* the Commons (about 46 in number) had paſſed an Order concerning their ſecured, ſecluded, and abſented Members; and referred all ſuch as had not already entred their diſſent to the Vote, 5. *Decemb.* 1648. to a Committee to give ſuch ſatisfaction to them as the Houſe ſhould approve of before the 30. of *Iune* inſtant, or elſe the Houſe would take order for New Elections. This was to bring the ſaid Members (300 in number at leaſt) to the winnowing, that they might admit ſuch as were for their turne to recrute their thin Houſe, and expell the reſt: few repaired to them, and of thoſe very few were choſen, the Speakers Sonne, Sir *Iohn Trevor* (who hath a Monopoly of 1500l. *per annum*, out of *New-Caſtle* Coles; for which he was many Months kept out of the Houſe, and at laſt admitted (onely to comply with the Faction) and his ſaid Monopoly continued) Sir *Henry Haymonde*, two Sons of the Earl of *Pembroke*, were received. This was thought very unreaſonable that ſo many Gentlemen either kept out or driven away by force ſhould by a farre leſſe number ſitting and acting under the ſame force, be ſent to attend a Committee, to ſtand with their Hatts off to *Holland*, *Scott*, *&c.* and be examined and expelled for giving their Votes (Yea, or No) in the Houſe according to their Conſciences. This was to ſubvert the Liberty of all Parliaments for the future, and to make this Houſe) which calls it ſelfe *a Parliament*) a meere packed *Iunto* to carry on forelaid Deſignes. Beſides, to expect they ſhould approve all that the ſitting Party in the Houſe had done in the abſence of theſe non-ſitting Members, who neither heard the Debate nor Reaſons whereupon they grounded their Votes againſt the KING, and Houſe of Peeres, nor for the aboliſhing Monarchy, and turning it into a Free-ſtate, erecting a Councell of State for that purpoſe, voting the Supreme Authority to be in themſelves, and many other matters of the like high nature, which have no place in the Lawes of *England*; was ſuch an impoſition as neither agreed with the knowne Parliament Priviledges, Liberty of Conſcience, (ſo loudly profeſſed by theſe ſanctified Members which ſit) nor with humane reaſon and ſenſe. And at laſt to ſit under thoſe Armed Guards that put a force upon them (the 6. *Decemb.*) before; promiſed as little of ſafety, unleſſe they would renounce their owne Conſciences and Act

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the wills of their Ianiſaries and their Party; and would render them contemptible to all the world, eſpecially to thoſe men who put this inſolency upon them.

I formerly told yon how unwilling the Members were to adjourne and reſign their more than Kingly Power to the Councell of State; wherefore *Cromwell* finding he could not obtaine that of them by a Vote, projected another way to work his Deſigne, not the old way of a violent purge by ſecuring and ſecluding the Members with his Myrmidons, that is already infamous, and would ſavour too groſly of the Power of the Sword; and would ſhew *Oliver* to be rather a Quack-ſalving Doctor of Phyſick than a Doctor of the Civill Law. He cauſed the Councell of Officers therefore to frame certaine Articles of Impeachment againſt Mr. *Lenthall* their Speaker, as followeth:

198. Articles of Impeachment againſt the Speaker,

Note that *Oliver*, before he left the Town, erected a Committee of Officers of the Army to proſecute and bring to puniſhment grand Delinquents. This is a new kind of Stat-Chamber of military Nobles, held like a Rod over the Mock Parliament, Councell of State, and the Generall, in caſe they ſhall oppoſe *Olivers* Deſignes.

1. *For releaſing out of* New-gate 3 *of the Queens Trieſts and Ieſuits by his Warrant.*

2. *For maintaining and protecting ſeverall Spies and Agents for the late King within the Line of Communication during the late Warre.*

3. *For conveying divers remarkable Priſoners of War out of the Line of Communication unto the late King.*

4. *For aſſiſting and protecting ſeverall Plotters on the behalfe of the late King, to deſtroy the City of* London.

5. *For ſuffering above* 300001. *to be conveyed to the late King out of the Line of Communication, wittingly and willingly.*

6. *For ſending Horſes of Warre, with Men and Armes to the late King.*

7. *For holding an intercourſe of Letters with the late King.*

8. *For maintaining and keeping an Agent in the Garriſon of* Oxford, *for expediting the foregoing Treacheries.*

9. *For corrupting many Members of the Parliament, ſome lately excluded, and ſome now ſitting in the Houſe to conceale and ſmother the foregoing Treacheries.*

10. *For endeavouring to take away the Lives of ſeverall the Proſecutors and Witneſſes unto the foregoing Treacheries.*

You ſee there is not one word in them of Couſening the Common-wealth, (which is now become the Private-wealth of every particular Saint) becauſe this would have broken univerſally the whole communion of Saints, and would have ſet them all together by the eares, to defend themſelves by recriminating one another: The device was, by taking off the Speaker, to Diſſolve them; ſince they cannot by the Priviledges of the Houſe, chuſe themſelves a new Speaker without the conſent of a power higher then their owne, (to wit) the KING's. And though they will be ſo much Maſters of their own Priviledges, as to coyne new every day upon emergent occaſions, yet thoſe irregularities are alwaies done under the power and protection of the Sword, which they could not expect againſt their owne Viſier Baſha *Oliver*. This trick being ſmelt out, was ſo highly reſented, that it periſhed in the birth; onely (I heare) the Speaker bled in private 15000l. towards *Olivers* expedition.

199. 150000l. Advance money for *Cromwells* expedition.

All the ſinks of tyranny and oppreſſion about the Towne, the Committee of the Revenue, Goldſmiths hall, Haberdaſhers hall, the Exciſe Office, &c. are all emptied into that Common-Sewer *Olivers* expedition into *Ireland* (or rather *Scotland*) or engaged as a ſecurity to furniſh him with 150000l. part whereof onely he is accountable for; the reſidue is left to his diſcretion and conſcience to buy Townes and Victories with, and to be offered upon an Altar to be erected *Deo ignoto*.

At *Olivers* requeſt, the Houſe admitted Sir *Edward Ford* to compound upon the Articles of *Oxon*, notwithſtanding his lapſe of time; *Forde* married *Ireton's* Siſter, and the Lord *Culpeper's* Sonne

Sonne married *Forde's* Daughter. Obſerve how the Generall is leſſened to advance *Cromwell*. 1. The Command of the Iriſh Forces taken from him, and *Cromwell* ſent with a Higher power than ever any went with into that Nation. 2. All Souldiers that will are enabled to leave their Regiments and Liſt under *Cromwell* ſo that the diſcontented and Levelling Party onely are left under the Command of *Fairfax*.

200. More Gifts to the Godly.

Col. *Martin's* Accounts brought into the Houſe, 3. *July*. 1649. his Arreares came to 25000l and 1000l. *per ann.* Land ordered to be ſetled upon him and his Heyres. The Lord *Gray* of *Grooby's* Arrears for the laſt Summer only againſt Duke *Hamilton*, 1500l. Theſe things conſidered, I cannot wonder at the Petition preſented to the Generall by Captaine *Iubbs*, in the name of Col. *Hu-ſon's* Regiment about *July* 6. wherein (amongſt other things) they complaine; *That the Houſe doe Weekly beſtow* 1000l. per an. *upon themſelves out of the publique Treaſury of the Nation, when as the Souldiers Wants are great, and all the People are in great neceſſity.*

The Moderate, from *July* 3. to *July* 10. 1649.

201. Endeavors to leſſen the Generall.

As if the dividing of the Army, and putting the moſt confiding men under *Cromwell*, the taking the whole Command of *Ireland* from the Generall, and conferrirg it upon *Cromwell*, the drawing drie all Treaſuries of Money to furniſh *Cromwell*, and leaving no Money to content the Generalls remaining part of the Army, the turning the *odium* of ſeizing and ſecluding the Members, and Murdering the KING, upon the Generall, were not ſufficient diminutions of the Generall, and augmentations of his Lieutenant Generall: The Welch Counties are ſet on worke to deſire *Harry Martin* for their Commander in Chiefe; and the Weſterne Garriſons (the moſt conſiderable of *England*) are to be taken from the Generall, and put into the hands of *Cromwell* and his Party, for his retreat from *Ireland*; ſo that if all this doe not enable him to ruine the Generall, it will (at leaſt) enable him to divide the Army, and cautonize the Kingdome, and turne the Generall into the dangers and troubles of the ſtarving, forlorne, North Counties bordering upon *Scotland*. And if *Cromwell* find *Ireland* too hard a Bone for him (it is thought) he will endeavour to ſurprize the *Iſle of Man*, and from thence infeſt *Scotland* and *Ireland*.

202. *An Inquiſition for blond*, an ingenious piece newly come to light.

About the 18. *July*, 1649. was preſented to the world an ingenious piece, entituled, [*An Iuquiſition for Bloud*] to the Parliament, *in ſtatu quo nunc*. And to the Army, *Regnante*: wherin the Author proves, *That the* KING *did not take the guilt of Bloud upon Himſelfe by granting the Preambulatory Propoſition in the late Treaty* in the *Iſle of Wight*, in theſe words, (viz:) *That He acknowledged that the two Houſes of Parliament were neceſſitated to undertake a Warre in their owne juſt and lawfull Defence, &c. And that therefore all Oathes, Declarations, or other publique Inſtruments againſt the 2 Houſes of Parliament, or any for adhering to them, &c. be Declared null, ſuppreſſed and forbidden.*

1. His Majeſty in yeilding to this Grant had reference to two ends: 1. To prepare the way to peace, which without this had been hopeleſſe. 2. To ſecure & indemnifie the two Houſes, with all their Adherents, and rid them from thoſe deſpairing feares and jealouſies which made them adverſaries to peace.

2. For the words of this Preamble, they were not of His penning, He was not Authour of them, but an Aſſentor to them: nor was He, or His Party accuſed or ſo much as mentioned in them.

3. He made this Conceſſion *ſub ſtricta novacula*, when the Razor was (as it were) at His throat: 1. An Army of 30000. Horſe and Foot effective againſt Him. 2. When He was endangered and tired out with a long and cloſe Impriſonment. 3. When many dangerous, menacing Petitions againſt His life, had been encouraged and entertained: ſo that the King may ſeem to have been neceſſitated to yeild to this Grant for His owne juſt and lawfull Defence.

4. His Majeſty paſſed this Conceſſion with theſe two Proviſoes: 1. That it ſhould be of no validity until the whole Treaty were intirely conſummated. 2. That He might, when He pleaſed inlarge & cleer the truth with the reſervedneſſe of His meaning herein by publique Declaration: Now the Treaty being powerfully carried on without Debate, or receiving any Propoſition from the King, as was capitulated (and reciprocall Propoſalls are of the Eſſence of all Treaties) this Grant could never bind Him.

5. This Grant was a meer Preambulatory Propoſition not of the

the Eſſence of the Treaty. Philoſophers and School-men tell us, No valid proof can be drawn out of Proems and Introductions, but out of the Body of the Text. So in the Lawes of *England*, and in all Accuſations and Charges, Prefaces and Preambles are not pleadable. They are the laſt in penning of Lawes, leaſt in account, nor never had the force of Lawes.

Proems to Laws are condemned by many Lawyers & Polititians. *Eſt nihil frigidius Lege cum Prologo, jubeat lex, non ſuadet.* 6.

There's not a ſyllable in this Preface which Repeales any former Law inflicting a Penalty upon ſuch Subjects as beare or raiſe Armes againſt their KING: nor thoſe Laws which (*è contrario*) exempts from puniſhment all Subjects adhering to the Perſon of the KING in any Cauſe or Quarrell.

Whereas the ſaid Preface ſaith, the two Houſes *were neceſſitated to make a Warre, &c.* This may relate to a neceſſity *à parte poſt*, not *à parte ante*, ſelf-defence is the univerſall Law of nature, extending to all Creatures; it is, *non Scripta ſed, nata Lex.* Therefore when the two Houſes (or rather a ſchiſmaticall Party in them) had brought upon themſelves a neceſſity of Self-defence, His Majeſty was contented to acknowledge that neceſſity. If one Man aſſault another upon the High-way, and the Aſſailed furiouſly purſue the Aſſailant, putting him to the defenſive part; the Aſſailant is now neceſſitated to fight in his owne defence, although he drew that neceſſity upon himſelf, yet is he now excuſable *à poſteriori*, not *à priori*. And as Civilians ſay of clandeſtine Marriages, *Quod fieri non debuit, factum valet*; for *multa ſunt quæ non niſi peracta approbantur.* 7. By raiſing Tumults, &c.

Lewis the 13. of *France*, had many Civill Warres with his own Subjects, amongſt other Treaties to compoſe them, upon the Treaty of *Lodun* he was enforced to publiſh an Edict, approving of all that had been done by his Oppoſites as done for his ſervice. The like Extenuations are not unuſuall at the cloſe of Civill Warres; and the onely uſe made of them was never other than to make the adverſe Party more capable of pardon, to ſecure them againſt the brunt of the Lawes, to ſalve their credits, and pave the way for an Act of Oblivion, and reſtore a ſetled peace; Peace and Warre, like Water and Ice, being apt to beget one another, But never was uſe made of ſuch Grants to ruine the King that Granted them, or His Party.

Thus having confuted that miſpriſion, *That the King by Granting*

ting that Introductory Propoſition, had taken all the Bloud upon His ſcore: my Author having cleered his way to his farther Inquiſition after Bloud, proceeds, and tells you, *Bell. Cap was the firſt that opened the Iſſue of Bloud by entering* England, *and ſhewing Subjects the Way of repreſenting Petitions to the King upon their Pikes points: That the Iriſh took their riſe from him.* And whereas occaſion was taken to calumniate His Majeſty *for having a foreknowledge thereof* (amongſt many other convincing, Arguments to cleer him) my Lord *Macguire* upon the Ladder, and another upon the Scaffold, did freely and cleerly acquit Him. And (in regard great uſe was made of the Iriſh Rebellion to imbitter the People againſt the King) the Authour winds up the cauſes there of upon one bottome. Telling you.

1. They who complied with the Scots in their firſt and ſecond Inſurrection.

2. They who diſmiſſed the Iriſh Commiſſioners (ſent to preſent ſome grievances to the Parliament) with a ſhort, unpolitique harſh Anſwer.

3. They who tooke off *Straffords* Head (the onely Obſtructor of that Rebellion) and afterwards retarded the Earle of *Leiceſters* going into *Ireland.*

4. They who hindered part of the Disbanded Army of 8000. Men, raiſed by the Earle of *Strafford*, being Solders of Fortune, to go ſerve the Spaniard, as His Majeſty had promiſed the two Spaniſh Ambaſſadours, the Marqueſſes of *Velada* and *Maluezzi*. which caſhiered diſcontented men firſt put fire to the Tumult: They who did all this, are guilty of the Iriſh Rebellion, and of the Bloud of above 10000 Proteſtants who periſhed in that Warre. Adde, They who importuned the King (contrary to His judgment) to make the Iriſh deſperate by paſſing an Act *to confiſcate their Eſtates, and grant them away to ſuch as ſhould advance Monies upon Iriſh Adventures.*

Touching the Warre kindled in *England*, the Authour confeſſeth it was a fatall thing there ſhould be a withdrawing of the Kings Perſon from the Parliament. But averreth it was a barbarous thing that the King with above foure parts in five of the Lords, and two parts in three of the Commons ſhould be frighted away by Tumults raiſed by *Ven* and *Burges*, and a Deſigne

ſigne to ſeize the Kings Perſon : yet its fit it ſhould be remembred.

1. *What reiterated Meſſages His Majeſty ſent*, offering to returne, if there might be a courſe taken to ſecure His Perſon, with thoſe Peeres and Commons rioted away,

2. *That there was not the leaſt motion towards Warre, untill* Hotham *ſhut the Gates of* Hull *againſt the King*, attended onely with ſome few of His houſhold Servants; which Act of his was approved of afterwards by the Houſe of Commons Vote, as if he had done it by their warrant.

3. *That a while after, there was an Army of* 16000. *men effective inrolled about London*, to fetch Him to His Parliament, and remove ill Counſellours, under the Earl of *Eſſex*, long before the King began to ſet up His Standard.

4. That the ſame Army ſo raiſed, to bring the King to His Parliament, was continued two yeares after to keep Him from His Parliament.

5. *Who interdicted Trade firſt, and brought in Forraigne Force to help them? and whoſe Commiſſions of Warre were near upon two yeares date before the Kings.*

6. That in all His Declarations, He alwayes proteſted, He waged not Warre againſt the Parliament, but againſt ſome Seditious Members, againſt whom He could not obtaine Common Iuſtice.

7. *That upon all good Succeſſes, the King ſtill courted the Parliament and City to an Accommodation.*

8. That upon the Treaty of *Vxbridge*, *The King moved, that (to prepare mens mindes to Peace) there might be freedom of Trade* from Town to Town : *Aceſſation of all Acts of Hoſtility* for the time, that the inflamation being allayed, the wound might be cured the ſooner.

9. *That this preſent Army remember how often in their Propoſalls, and Declarations they proteſted, That their aime was, to reſtore His Majeſty with Honour, Freedome, and Safety*, whereunto they were formerly bound by their Proteſtation and Covenant; and that *the two Commanders in Chief paſſ'd their Souls to Him thereupon.*

10. That to ſettle Peace, the King did in effect, (by His Conceſſions)

ceſſions) *part with His Sword, Scepter, and Crowne, and every thing that was perſonall to Him.*

11. With what admired Temper, Prudence, Conſtancy, He comported Himſelf in His Afflictions; and how many of His engaged Enemies became His Converts thereby, ſpeaking Panegyricks in His praiſe.

12. That though there be ſome precedents in our Hiſtories for Depoſing Kings in point of Competition for the Crown; yet it is unexampled, That a King of *England*, of an undoubted Title, ſhould be Summoned, Arraigned, Tryed, Condemned, and Executed at His own Door, by His own Subjects; and *by the Name of their King, to whom they had ſworn Allegeance: Contrary to the Whole Current of the Law, which ſaith, The King can doe no Wrong, The Crown takes away all defects*: Wherefore it was adjudged ſuperfluous to take off Attainders, under which *Hen.* 7. and *Queen Elizab.* lay, becauſe the Crown wyped off all Blots. *Rex non habet Parem in ſuis Dominiis nec Superiorem, ſatis habet Rex ad pœnam, quod Deum expectat ultorem.* If therefore *by the Lawes of the Land, all men muſt be Tryed by their Peeres, and the King have no Peere*, what power had theſe Men to Arraign their King? to be *both His engaged Enemies, Accuſors, and Iudges*; *and to Erect an unpreſidented Tribunall, without the leaſt Foundation in Law*, with *power*, and *purpoſe to condemne all* that came before it; and that *Sentence of Death ſhould paſſe without conviction, or Law, againſt the Head, and Protectour of all our Lawes, and Fountaine of Iuſtice and Mercy.*

13. That they who (by their own Confeſſion) *repreſent but the Common People*; ſhould aſſume power to cut him off, *who immediately repreſented God.*

203. About the ſame time Mr. *William Pryn* Aſſigned his Reaſons, why he could *neither in Conſcience, Law, nor Prudence, voluntarily ſubmit to pay the Arbitrary illegall Tax of* 90000l. *a Moneth impoſed upon the People, by a pretended Act of the Commons, bearing Date of* 7 Aprill 1649. *towards the maintenance of Forces to be continued in* England *and* Ireland.

M. *Pryns* excellent Book entituled, [*A legall Vindication of the Liberties of* England] Againſt illegal Taxes, and pretended Acts of Parliament abridged in part, but the whole commended to be ſeriouſly read by all men.

Becauſe

Becauſe by the *Fundamentall Lawes*, and *known Statutes* of this Land, *No Tax, &c. ought to be Impoſed, or Leavyed, but by the Will, and common Aſſent of the Earls, Barons, Knights, Burgeſſes, Commons, and Whole Realme, in a free, and full Parliament.* See *Magna Charta*, 29. 30. Stat. 25 *Edw.* 1. chap. 5, 6. 34 *Edw.* 1. *De Tallagio non concedendo*, c. 1. 21. *Edw.*, 3 Rot. Parl. nu. 16. 25 *Edw.* 3. c. 8. 36 *Edw.* 3. Rot. Parl. nu. 26. 45 *Edw.* 3. Rot. Parl. nu. 42. 11 *Hen.* 4. Rot. Parl. nu. 10. 1 *Rich.* 3. c. 2. *The Petition of Right, and Reſolutions of both Houſes againſt Loanes*, 3. Car. *The Votes and Acts againſt Ship-money, Knighthood, Tonnage, and Poundage*, and the Star-chamber this Parliament, 17, 18. *Car.* agreed to by Mr. *William Hackwell* in his Argument againſt Impoſitions. Iudge *Hutton*, and *Crook*, in their Arguments, Mr. Saint *Iohn in his Argument and Speech againſt Ship-money*, with others Arguments and Diſcourſes upon that ſubject. Sir. *Edw. Cook.* in his 2 Inſtit. pag. 59 60. 527, 528, 529. 532, 533. But this Aſſeſſement was not ſo legally impoſed, *Ergo*, 1, nor no man elſe ought to pay it. 1. *This Tax was not impoſed by any Parliament*; *The late Parliament being actuall diſſolved above two monethes before this pretended Act was paſſed for impoſing it, by the Murder of the King.* as is reſolved by the Parliament. 1 *Hen.* 4. Rot. Parl. nu. 1. 4 *Hen.* 4. and 1 *Hen.* 5. Rot. Parl. nu. 26. *Cookes* 4. Inſtitutes, p. 46. 4. *Edw.* 4. 44. 6. *For the King being both the Beginning, End, and Foundation of Parliament*, (according to *Modus tenendi Parliamentum*, and Sir *Edw. Cook*, 4. Inſtit. p. 3,) which are *Summoned, and Conſtituted onely by his Writ, the Writ is actually abated by his Death.* 1 *Edw* 6. c. 7. *Cookes* 7. Rep. 30. 31. *Dyer* 165. 4 *Ed.* 4. 43. 44. 1 *Edw.* 5. 1. *Brook* Commiſſion, 19. 21.

It appeares by the writs of Summons to the Lords, (*Crompt.* Iuriſdiction of Courts, fol. 1. *Cookes* 4. Inſtit. p. 9. 10.) *and of Elections, and leavying their Wages:* That the Parliament was onely *Parliamentum noſtrum*, the Parliament of the Kings thats Dead, called *Parliamentum noſtrum ad tractandum nobiſcum ſuper arduis negotiis regni noſtri*, can be continued one and the ſame Parl. after the Kings death that called it? and the Monarchy changed into a Common wealth? formally it cannot be the ſame, the King the Head thereof being gone. The Lords Houſe and Monarchy being aboliſhed, and the State not the ſame? materially it cannot be the ſame, ſo many of the ancient Members being thrown out, and new ones unduly elected brought in. But there are ſome pragmaticall Taylors in the Houſe, who can make a garment fit for all ſtates of the moon, and a Parl. fit for all changes of the State.

Quere, How a Parliament Summoned by the Writ of K. *Charles* I. and

not of his Heires and Succeſſours, They are all Summoned to come to *his Parliament to adviſe with him* (*nobiſcum*, not with his Heires and Succeſſors) of great and weighty Affaires concerning, *Nos & Regnum noſtrum*, Him and his Kingdome, 5 *Edw.* 3. 6. part 2, *Dorſ. Clauſ.* Regiſt. fol. 192. 200. So the *King being dead and his Writ, and Authority by which they were Summoned, and the end for which they were Called: Ad Tractandum ibidem nobiſcum, ſuper arduis negotiis nos & ſtatum Regni noſtri tangentibus*; being thereby abſolutely determined without any hope of revivall: *The Parliament is determined thereby, eſpecially as to thoſe who have Diſ-inherited his Heires and Succeſſors, and Voted down Monarchy it ſelf; and the Remnant now ſitting are no longer Members of Parliament, as all Iudges, Iuſtices of the Peace, Sheriffs, made only by the Kings Writ or Commiſſion*, and not by Patent, Ceaſe, and become void by the Kings death, for this very reaſon, becauſe they are conſtituted, *Iuſtitiarios & Vicecomites noſtros ad pacem noſtram, &c. cuſtodiendum* The King being dead, his Writs, and Commiſſions expire with Him. 4 *Ed.* 4. 43, 44. *Brook*, Office and Officer 25. Commiſſion, 19. 21. *Dyer*, 195. *Cook* 7 Rep. 30, 31. 1. *Ed.* 6. c. 7. *Daltons* Iuſtice of Peace, chap. 3. pag. 13. *Lambert*, pag. 71.

Obj. If any object the Act of continuance of this Parliament, 17. *Car. That this preſent Parliament ſhall not be diſſolved unleſſe it be by Act of Parliament to be paſſed for that purpoſe.*

Anſw. It is Anſwered, *That it is a Maxim in Law, That every Statute ought to be expounded according to the intent of thoſe that made it, and the miſchiefes it intended onely to prevent.* 4 *Edw.* 4. 12. 12 *Edw.* 4, 18. 1 *Hen.* 7. 12. 13. *Plowdens* Commiſ. fol. 369. *Cookes* 4. Inſtitutes pag. 329. 330. *Now the intent of the Makers of this Act, was not to prevent the Parliaments diſſolution by the Kings Death, (no Wayes intimated in any Clauſe thereof, although it be a cleer diſſolution of it to all intents, not provided for by this Act) but by any Writ, or Proclamation of the Kings by his Regall Power,* without the conſent of both Houſes, which I ſhall prove by the Arguments following.

1. *From the principall occaſion of making the ſaid Act. The* Commons in their *Remonſtrance*, 15. *Decemb.* 1642. complaine, That the King had diſſolved all former Parliaments againſt approbation of both Houſes of Parliament: *Wherefore to prevent the*

the Diſſolution, Prorogation, or Adjournment of this preſent Parl. by the Kings Regall Power, after the Scots *Army ſhould be disbanded, and before the things mentioned in the Preamble could be effected, was the ground and occaſion of this Law:* and not any fear of Diſſolving the Parliament by the Kings death, Naturall, or Violent, which is confeſſed by the Commons in the ſaid Remonſtrance, *Exact Collect.* pag. 5. 6. 14, 17. compared together, where they Affirme, The abrupt diſſolution of this Parliament is prevented by another Bill, &c. In the Bill for continuance of this Parliament, *there ſeemes to be ſome reſtraint of the Royall power in Diſſolving of Parliament; not to take it out of the Crown, but to ſuſpend the execution of it for this time*, and occaſion onely, which was ſo neceſſary for the Kings own Security, and the Publique Peace, that without it we could not have undertaken any of thoſe great Charges, but muſt have left both Armies to diſorder, and confuſion, &c.

2. *The very Title of this Act* [*an Act to prevent inconveniencies which may happen by the untimely Adjourning, Proroguing, or Diſſolution of this preſent Parliament*] *intimates as much, compared with the body of it, which provides as well againſt the Adjourning, or Proroguing without an Act, as againſt a Diſſolution. Now the Parliament cannot be ſaid to be Adjourned, or Prorogued untimely by the Kings Death* (*which never Adjourned, or Prorogued any Parliament*) *but onely by his Proclamation, Writ, or Royall Command to the Houſes, or their Speaker executed during his life time.* See Parl. Rols, 6. *Edw* 3. 2. Rot. Parl. 3. 6. 5. *Ric.* 2. n. 64, 65. 11. *Ric.* 2 nu. 14, 16, 20. 8 *Hen.* 4. nu. 2. 7. 27 *Hen.* 6. nu. 12. 28 *Hen.* 6. nu. 8, 9. 11. 29. *Hen.* 6. nu. 10. 11. 31 *Hen.* 6. nu. 22, 30, 49. and *Cookes* 4. Inſtit. p. 25. *Dyer* fol. 203.

3. *The Prologue of the Act implies as much, whereas great ſummes of Money muſt of neceſſity be ſpeedily advanced* for relief of His Majeſties Army (not his Heire or Succeſſour) and for ſupplying other His Majeſties (not his Heires, nor Succeſſours) occaſions, which cannot be ſo timely effected, as is requiſite, without credit for raiſing the ſaid Monies; which Credit cannot be attained untill ſuch Obſtacles be firſt removed, as are occaſioned by Fears and Jealouſies; *That this Parliament may be Adjourned, Prorogued, or Diſſolved, before Juſtice ſhall be duly exe-*

cuted upon Delinquents (then in being, as *Strafford, Canterbury,* not ſince made) *Publique Grievances* (then complained of, as Star-chamber; High-commiſſion, Ship-money, Knight-hood Money, Tonnage, and Poundage, &c.) redreſſed: *Peace concluded* between the two Nations, *ſufficient proviſions made for repayment* of the ſaid Monies (not others ſince) ſo to be raiſed. *All which expreſſions related only to His late Majeſty, as to His Acts of Royall Power, not to His Heires and Succeſſours, after His Naturall* (*much leſſe*) *Violent death*, which was not then thought on, but publickly Deteſted, and Proteſted againſt; no Man being ſo hardy as to mention it for fear of the Law, not then ſubdued by the Sword; And the ſeverall Principall Scopes of this Act are fully ſatisfied long before the late Kings Death.

4. *It is cleer by the Body of this Act*; And be it declared, &c. That this preſent Parliament, &c. *Shall not be diſſolved, unleſſe it be by Act of Parliament to be paſſed for that purpoſe; nor ſhall at any time*, or times during this preſent Parliament, *be Adjourned, or Prorogued*, unleſſe it be by Act of Parliament to be paſſed for that purpoſe; and that the Houſe of Peeres ſhall not at any time, or times, during this preſent Parliament, be Adjourned, unleſſe it be by themſelves, or by their owne Order. And in like manner, *That the Houſe of Commons ſhall not at any time*, or times be Adjourned, &c. as aforeſaid. From whence it is undeniable.

1. *That this Act was onely to prevent untimely Diſſolving, Proroguing, and Adjourning* of that preſent Parliament then Aſſembled, and no other, *by Acts of Royall Power.*

2. *That the King was the Principall Eſtate, and Member*, yea, our Soveraign Lord, the ſole Declarer, and Enacter of this Law, by Aſſent of the Lords and Commons.

3. *That neither this Act, nor any other, for Diſſolving, Proroguing, or Adjourning this Parl. could be made without the Kings Royall Aſſent*, which the Lords and Commons in their Remonſtrance, 26. *May*, 1642. often acknowledge, together with His Negative Voice to Bills, *exact Collect.* p. 69. 70. 736. 709. 722.

4. *That it was not the Kings intent in paſſing this Act to ſhut Himſelf out of Parliament*, or create Members of Parliament without a King, as He profeſſeth, Εικὼν Βασιλικὴ, c. 5. *Nor the Lords and Commons intent to Diſmember Him from His Parliament,*

ment, and make themſelves a Parliament without Him, as their ſaid Remonſtrance teſtifies; and the words of the Act import, *much leſſe was it their intent to pack a Parliament of* 40. *or* 50. *Commons onely, ſelected by Colonell* Pride, *to Vote according to the Dictates of a Councell of Warre*, after they had deſtroyed the King, and Houſe of Peeres: *Againſt which tranſcendent uſurpation this very Act provides, That the Houſe of Peers ſhall not be ſo much as Adjourned, or Prorogued, but by themſelves, or their own Order.*

5. *Neither did the King, Lords, and Commons, in paſſing this Act intend, That by Murdering the King, Aboliſhing the Houſe of Lords, and expelling by power of the Sword eight parts of ten of the Commons, the remaining Faction ſhould conſtitute themſelves, their Heires and Succeſſours, a Perpetuall Parliament*, which would Croſſe, and Repeal the Act for a Tryenniall Parliament made on the ſame day in Law. *Brook*, Parliament 80. Relation 85. *Dyer* 85.

It is againſt the nature, and eſſence of a Parl. to be Perpetuall, and againſt the Liberty of the People.

6. *The laſt Clauſe of this Act concludes as much. And that all, and every thing, or things whatſoever done, or to be done (to wit, by the King, or His Authority) for the Adjournment, Proroguing, or Diſſolving of this Parliament*, contrary to this preſent Act, ſhall be utterly voide and of none effect. *Now Death of the King, and Diſſolution of this Parliament thereby cannot properly be ſtiled a thing done, or to be done by the King, if by thoſe Words (things done, or to be done for the diſſolving, &c.) they ſhall ſay, they related to the Kings Naturall Death*; Natural Death is the Act of God, which theſe Saints cannot make voide, *if they related to His violent Death, it could not then be ſaid a thing done, or to be done for the unlawfulneſs, and injuſtice of it. This Act paſſed long before any War, or Bloud ſhed*; The onely pretence they have ſince found out for the Kings Murder.

2. If this Parliament were not Diſſolved by the Kings Death, *Yet the Houſe of Peeres (formerly Voted) downe by the Commons, gave no conſent the paſſing this Act*, Entituled, *An Act of the Houſe of Commons*; who, without the concurring Aſſent of the Lords, and the Kings Royall Aſſent, have no power to paſſe any Act, Make, or Declare any Law, or impoſe any Tax, as appeares by the fore-recited Acts; The *Petition of Right*, The *Act for*

for the Trienniall Parliament, and this very Act againſt Diſſolving, Proroguing, &c. with all our Printed Statutes, Parliament Rolls, and Law-Bookes. The Commons being ſo farre from claiming the ſole Legiſlative Power heretofore, as that they were not Summoned to our Ancient Parliaments, (which conſiſted onely of King, Lords, Tempor all and Spirituall) untill 47 *Hen.* 3. nor had they ſo much as a Houſe of Commons, or Speaker, untill the Reigne of *Edw.* 3. nor never tendred any Acts, or Bills to the King, but Petitions onely of Grievances, untill long after *Rich.* 2. time. See the Printed Prologues to the Stat. 1, 4. 5. 9, 10. 20. 23. 36. 37. 50. *Edw.* 3. 1 *Ric.* 2. 1. 2. 4. 5. 7. 9. 11. 13 *Hen.* 4. 1. 2. 3. 4. 8. 9 *Hen.* 5. 1, 2, 3, 4, 6, 8, 9, 10, 11, 14, 15. 28, 29, 39 *Hen.* 6. 1, 4, 7, 8, 12, 17, 22 *Edw.* 4. 1 *Rich.* 3.

3. *But ſuppoſe the Commons alone had power to impoſe Taxes, yet it muſt be in a full, and free Houſe:* whereas, when this Act for 90000l. a Moneth paſſed, the Houſe was neither Full, nor Free, The Major part of the Houſe (who by Law are the Houſe) to wit, 8. parts of 10. at the leaſt, being Secured, or Secluded by Col. *Pride*, and his Souldiers, by Confederacy with thoſe 40. or 50. then ſitting when this Act paſſed, and acting the Wills of the Councell of Officers, to the ſubverſion of Parliaments, and the great wrong of thoſe Counties and Burroughs for which they ſerved.

Obiect. If it be objected, that by uſage of Parliament, 40. *Members make a Houſe of Commons.*

Anſw. 1. I Anſwer, not to all intents and purpoſes; *Not to grant Subſidies, nor paſſe Lawes, or matters of greateſt moment, Modus tenendi Parl. Cookes* 4. Inſtit. pag. 1. 2. 26. 35. 36. *Cromptons* Iuriſd. of Couts, fol. 139 *Edw.* 3. 7. *Brook*, Parl. 27. 1 *Iac.* c. 1.

2. 40, Members make not a Houſe, when the reſt are Excluded by force without Dores, and fraud of their Fellow-members within Dores, on purpoſe, that (being the Major number) they may not over-vote them. *The Commons not having power to expell any of their Members, without conſent of King and Lords, in whom onely the Iudiciall power. Paribus in Pares non eſt Poteſtas*, Clauſ. *Dorſ.* 7 *Rich.* 2. *M.* 27, *Seldens* Title of Honour, pag. 737. Baron *Camoyes* caſe diſcharged by the Kings Writ, and Iudgement from ſerving amongſt the Commons, becauſe a Peere

Peer of the Realm: The practice for Members to Expell, and Sequeſter their Fellow-members, being a late dangerous innovation, to pack a Factious Conventicle inſtead of a Parliament.

If the King ſhould ſend forth no more Writs then would Summon 40. or 50. Commons, it were no Houſe. Added by the Abridger.

So M. *Pryn* concludes; That if he ſhould voluntarily ſubmit to pay this Tax, by virtue of the ſaid pretended Act of Parliament, Dated 7. *Aprill*, 1649. made by thoſe now ſitting, (ſome of whoſe Elections have been Voted void, others of them Elected by new Illegall Writs, under a new kind of Seal, ſince the Kings Beheading; as the Earl of *Pembroke*, and Lord *Edward Howard*, uncapable of being Knights, or Burgeſſes by the Common Law, becauſe Peeres of the Realm, as was adjudged in the Lord *Camoyes* caſe, *Clauſ. Dorſ.* 7 *Rich.* 2. M. 32. and aſſerted by Mr. *Seldens* Titles of Honour, *Part* 2. *chap.* 5. *pag.* 735. Seconded by *Cookes* 4. Inſtit. *pag.* 1. 4. 5. 46. 47. 49.) As he ſhould admit thoſe to be lawfull Members, ſo he ſhould aſſent to *ex poſt facto*, ſome particulars againſt his Knowledge, and againſt the Oathes of Allegeance, Supremacy, Proteſtation, Solemn League and Covenant, taken in the preſence of God, with a ſincere heart, and reall intention to performe the ſame; and perſevere therein all the dayes of his life, without ſuffering himſelf directly, or indirectly, by whatſoever Combination, Perſwaſion or Terrour to be withdrawn therefrom. As for example, he ſhould thereby acknowledge, contrary to his knowledge, and the ſaid Oathes and Covenant.

1. That there may be, and now is, a lawfull Parliament of *England*, actually in being, and legally continuing after the Kings Death, conſiſting onely of a few late Members of the Commons Houſe, without either King, Lords, or moſt of their fellow Members.

2. That this Parliament ſitting under a force, (and ſo unduly Conſtituted, and packed by power of an Army combining with them) hath juſt, and lawfull Authority.

1. To *Violate* the Priviledges, Rights, Freedomes, Cuſtomes, and *alter the Conſtitution* of our Parliaments themſelves.

2. *To Impriſon, Seclude and Expell* moſt of their fellow

Members (the farre Major part of the House) for Voting according to their Consciencies, (in favour of Peace, and settlement of the Common-wealth)

3. *To Repeal* all Votes, Ordinances, and Acts of Parliament they please.

4. *To Erect new* Arbitrary Courts of Warre and Iustice.

5. *To Arraign, Condemne, and Execute* the King himself, with the Peeres, and Commons of this Realm, by a new kind of Martial Law, contrary to *Magna Charta*, The *Petition of Right*, 3. *Car.* and the known Lawes of the Land.

6. *To Dis-inherit* the Kings Posterity of the Crown.

7. *To extirpate* Monarchy, and the whole House of Peers.

8. *To Change, and Subvert* the Ancient Government, Seales, Lawes, Writs, Legall proceedings, Courts, and Coyne of the Kingdome.

9. *To Sell, and Dispose of all* the Lands, Revenues, Iewels, Goods of the Crowne, with the Lands of Deans and Chapters, (for their own advantage, not the easing of the People from Taxes.)

10. *To absolve themselves (by a Papall kind of Power) and all the Subjects of England and Ireland*, from all the Oaths and Engagements they have made to the Kings Majesty, His Heires and Successours; yea, from the very Oath of Allegeance, notwithstanding this expresse Clause in it (fit to be laid to Heart by all Conscientious Christians) *I doe believe, and in Conscience am resolved, That neither the Pope, nor any Person whatsoever, hath power to absolve me of this Oath, or any part thereof, which I acknowledge by good and full Authority to be lawfully Ministred to me; and doe renounce all Pardons, and Dispensations to the contrary.*

11. *To dispence with our* Protestation and Covenant so Zealously enjoyned by both Houses on all sorts of People.

12. *To dispose of the* Forts, Ships, Forces, Offices, and places of Honour, Power, Trust, or Profit, to whom they please, (to their own Party.)

13. *To Displace, and Remove* whom they please from their Offices, Trusts, Pensions, Callings and Franchises at their pleasures, without any Legall cause, or Tryall.

14. *To make What New Acts, Lawes, and Reverse What Old*

ones

ones they think meet , to enſnare , and inthrall our Conſciences, Eſtates, Liberties, and Lives.

15. *To create new monſtrous Treaſons* never heard of before; *and to declare Reall Treaſons againſt the King , Kingdome and Parliament to be no Treaſons*; and Loyalty, Allegeance, due obedience to our known Lawes, and a Conſcientious obſerving our Oathes of Allegance and Supremacy , and the Covenant, to be no leſſe then High Treaſon : for which they may take away our Lives, and confiſcate our Eſtates to their new Exchequer, Thereby at once repealing *Magna Charta.* c. 29. 5 *Edw.* 3. c. 6. 25 *Edw.* 3. c. 4. 28 *Edw.* 3. c. 3. 37 *Edw.* 3. c. 18. 42 *Edw.* 3. c. 3. 25 *Edw.* 3. c. 2. 11 *Rich.* 2. c. 4. 1 *Hen.* 4. c. 10. 2 *Hen.* 4. Rot. Parl. 11. n. 60. 1 *Edw.* 6. c. 12. 1. M. c. 1. *The Petition of Right* 3 Car. So much commended this Parliament , and laying all our Lawes, Liberties, Eſtates, and Lives waſte, after they have drawne ſo much Bloud and Treaſure from us, in defence of them.

16. *To raiſe , and keep up what forces by* Land and Sea they pleaſe , and *impoſe what Taxes they pleaſe* , and renew, increaſe, and perpetuate them to ſupport their more then Regall or Parliamentary power.

17. *To pack , and ſhuffle themſelves into a Councell of Lords , States Generall (without any provinciall States)* 40. Hogens Mogens , with Supream, Regall , and Arbitrary power, in abſence of Parliaments which are Aboliſhed by theſe Uſurpations as well as Monarchy. This 17. is added by the Abridger.

4. The principall ends propoſed in the pretend Act for impoſing this 90000l. a moneths Tax, oblige all men not to pay it, *viz.* The keeping up this Army under the Lord *Fairfax.*

1. *Becauſe this Army , by Rebelling againſt their Maſters* , the Parliament, and waging Warre upon them: and by conſpiring with their owe party of the ſitting Commons, have occaſioned all the Miſchiefs laſt mentioned, to the ruine of King, Parliament, and Kingdome, Religion, Lawes, Liberty, and Property ; and daily threaten an utter diſſolution , both in their Deeds , and Words. Both Officers and Souldiers Boaſting , *That the whole Kingdome, and all we have is theirs by Conqueſts* ; *That we are but their Conquered Slaves and Vaſſals , and they Lords of the Kingdome , That our Lives are at their Mercy and Courteſie* ; *That when they have*

gotten all we have from us by Taxes and Free-quarter, they will ſeize our Lands, and turne Vs, and our Families out of Dores: That there is no Law in England *but the Sword* (as *Hugh Peters*, the Rebels Apoſtle ſaith) *The preſent power muſt be obeyed*, (ſaith paraſiticall *Iohn Goodwin*) that is the power of the Sword ſtill.

More hath been raiſed by Taxes theſe laſt eight years, then in all the Kings Raignes ſince the Conqueſt, and no account given.

2. *No Tax ought to be impoſed but upon neceſſity, for good of the People*, 25 *Edw.* 1. chap. 6. *Cookes* 2. Inſtit. pag. 528. But the keeping up this Army is the Bane of the People.

1. Becauſe they are already exhauſted with Warre Plunder, Taxes, Free-quarter, &c.

2. Becauſe the Souldiers have decayed Trade, and brought a Dearth upon the Land.

3. This Tax of 90000l. a Moneth deſtroyed Trade, by Foreſtalling, and Engroſſing moſt of the Money now left in the Kingdome.

4. There is no Enemy in the Kingdome viſible, nor no fear of any, if we will believe our Grandees.

5. When the King had two Armies in the Field, and many Garriſons, this whole Army conſiſted but of 22000. Men, and had an Eſtabliſhed pay but of 45000l. a Moneth. See *Ordinances.* 15. *Feb.* 1644. and 6. *Aprill* 1646. *Exact Collect.* pag. 599. 876. But when the Army (by confederacy with their Party in the Houſe) took the boldneſſe to encreaſe their number without Order, 60000l. a Moneth was thought abundantly ſufficient to pay the Army, and take off Free-quarter: and why this Tax ſhould now be raiſed to 90000l. a Moneth, when ſundry Regiments of it are Aſſigned for *Ireland*, and yet Free-quarter continued, is a myſtery of Iniquity which fills the Saints Pockets with Money, and all the World with Wonder.

6. The Counties Militia (ſo much contended for with the King) would better defend the Kingdome from Forraign Invaſions then a Mercinary Army. Therefore there is neither neceſſity, nor publique utility in keeping up this Army, or raiſing Taxes to maintaine them, or pay their pretended Arreares. The Free-quarter they have taken in kind, and leavyed in Money, will treble their Arreeres, and make them much indebted to the Country. Thus farre (and much farther) Maſter *Pryn*, whoſe whole

whole Booke at large I commend to all mens ſerious peruſall.

The Marqueſſe of *Ormonds* happy atchievements in *Ireland* beginning to look formidably, had cooled the heat of *K. Olivers* courage) though not of his Liver) inſomuch that he and his intimate Friends began to project how (without loſſe of reputation) to take him off from ſo deſperate an Engagement, as (at that time) that ſeemed to be: unneceſſary delaies were uſed in Shipping his Men. *Haſterigge* and his Party reported great terrours from *Scotland*. *Oliver* and his Bloud-hounds of the Faction made a ſhift to ſmell out a ſilly Plot in *Dorſet-ſhire* for ſurpriſall of *Weymouth* and *Portland* for the KING: now laughed at, and exploded by their owne New-books. And the tender-conſcienced Brethren were prompted to apprehend their owne dangers, and put into a Petitioning poſture, *That ſuch a Worthy of* Iſrael, *ſuch a choſen Inſtrument of Gods mercy, might not in a time of danger leave the Land of his Nativity, the Habitation of the Saints, to ſeeke foraigne adventures in a Heathen Land*: whilſt theſe preparations were making to withdraw *Olivers* ſtake, he appeared not openly in them, but making more ſhew of the Lyons skin than the Foxes, had written to Col. *Iones* how heartleſſe his Souldiers were, and that unleſſe *Iones* did by ſome ſucceſsfull Sally leſſen their terrour, he ſhould not be able to get them on Ship-board. This was (like the Monkey) to rake Cheſſe-nuts out of the fire with the Catts foot; to take a preſage of his owne ſucceſſe at Col. *Iones* hazard. *Iones* makes an attempt with better luck than he expected, though not with half ſo good ſucceſſe as was reported. Saturday, 12. *Auguſt*, when the newes firſt came to Towne, (the Lyon is not ſo terrible as he is painted) it is a peculiar priviledge of the Saints to lie (without ſinne, or at leaſt, without imputation of ſinne) for the good Cauſe, either *in Re*, or *in modo Rei*; in the matter, or manner; in the thing, or the extent thereof: yet this ſucceſſe was enough to invite *Cromwell* over to purſue the Victory, and partake of the ſpoyles, if not to uſurp the whole Honour of the Atchievement to himſelfe, by his accuſtomed ſpeciall prerogative. So upon the 16, or 17. of *Auguſt*, K. *Nol* ſet ſayle towards his new Principality, carrying (contrary to the cuſtome of the Sea) his Lanthorne in his Proawe, not in his Poope; where we will leave him for the preſent to his adventures.

204. *Cromwell* ſets ſayle for *Ireland*.

205. The Aſſociation between *Oneale* and C. *Monke.* See the Paper at large.

I have formerly hinted to you the Agreement made between Colonel, *Monke*, in behalfe of the Parliament of *England*; and *Owen Roe Oneale*, the maſſacring Iriſh Rebell: I have now occaſion to ſpeake more at large of it, and examine the truth of a Paper, called, [*The true ſtate of the Tranſactions of Col.* George Monke *with* Owen Roe Oneale, *as it was reported to the Parliament by the Councell of State, &c.*] Printed by *Edward Huſbands*, 15. *Auguſt*, 1649. The ſaid Agreement made between the Antimonarchicall Independent Party in *Ireland*, and the maſſacring Antimonarchicall Popiſh Party under *Owen Roe Oneale* (being a meer conſpiracy to root out Monarchy and Proteſtancy: firſt, in *Ireland*, and then in *England*: and a ſecond crucifying of Chriſt in his members between two Thieves, the Schiſmatique and the Papiſt) was ſo generally abhorred by the Engliſh Souldiery, that many there tooke occaſion to forſake the Engliſh Parliament; and many here disbanded rather than they would accompany *Cromwell* in ſo wicked an expedition. Wherefore *Cromwell* writ Letters to his Creatures of the Councell of State by *Monke* himſelf, complainig how much the miſcarriage of that Agreement had retarded his ſaid Voyage; deſiring them (for ſatisfaction of the Souldiery and People) to Treat with *Monke* to take the whole buſineſſe upon himſelfe, and to cleer the Councell of State, the Parliament, and *Cromwell* himſelfe, from having any hand at all in it, which upon Tearmes of ſafety and advantage (he ſaid) he already found him inclinable to doe. The better to carry on the ſcene, this Agreement was with much heat of zeale complained of in the Apocryphall Houſe of Commons by a Brother who had his cue beforehand, and by the Iuncto was referred to the Councel of State as was forelaid, where their High and Mightineſſes (after ſome private conference with *Monke* to accommodate the buſineſſe) voted their diſlike of it: *Bradſhaw* reprehending *Monke* in jeſt therefore. And at laſt they Ordered, *That the whole buſineſſe, with* Monks *Reaſons for his juſtification ſhould be reported by* Thomas Scot *to the Houſe of Commons:* which was accordingly done Upon Friday, 10. *Auguſt*, *Monke* was called in to the Barre, where (amongſt other things) the Speaker asked him, *What Perſons he meant in his Letter to the L. Lieutenant of* Ireland; wherein he ſaith, *He made the Agreement with* Oneale *with the advice of ſome*

Scot having ſtudied the Politiques in a Brewers Tally, is become a great Statesman in our new *Babel*. See the ſaid Paper, *The true ſtate, &c.*

ſome others? Monke anſwered, *that he did it upon his owne ſcore, without advice of any other Perſon; onely having diſcourſe with Col.* Iones: Iones *told him, if he could keep* Owen Roe *and* Ormond *from joyning, it would be a good ſervice.* This Anſwer (ſuch as it is) was taken for Satisfactory in ſo Comick an Interlude. The next demand was, *Whether he had any advice or Directions from the Parliament, Councell of State, Lord Lieutenant of* Ireland, *or any other Perſon here to do the ſame?* which he did expreſly deny, ſaying, *he did it upon his owne ſcore.* Hereupon the Houſe voted as followeth:

Reſolved, &c. That this Houſe doth utterly diſapprove of the proceedings of Col. Monke *in the Treaty and Ceſſation* (as they pleaſe to call it) *made between him and* Owen Roe Oneale, *and that this Houſe doth deteſt the thoughts of any cloſing with any Party of Popiſh Rebels there, who have had their hands in ſhedding Engliſh blood. Nevertheleſſe the Houſe being ſatisfied that what the ſaid Col.* Monke *did therein, was, in his apprehenſion neceſſary forthe preſervation of the Parliament of* Englands *Intereſt: That the Houſe is content the further conſideration thereof; as to him, be laid aſide, and ſhall not at any time hereafter be called in queſtion,* So *exit Monke*, and the Play was done; wherein take notice of theſe following Obſervations:

1. The Armies Doctrine, and uſe of apprehended neceſſity and good intentions to juſtifie evill actions; approved of by this example of the Parliament (as they will be called.)

See *the Anſwer of the Councel of Officers to the Parliaments Demand, concerning their ſecured Members: And their Anſwer thereto.*

2. This Agreement (though it were at leaſt twelve Weeks agoe publiquely knowne in *England*; and divulged in their owne Licenced Newes-bookes) was never ſcrupled untill now: That 1. the ſaid Agreement was expired. 2. That *Oneale* was ſo beaten by the Lord *Inchiquine*, that he is (as their owne Newes-books ſay) inconſiderable, and muſt ſuddenly joyne with the Marqueſſe of *Ormond*, or be deſtroyed.

3. That theſe *Votes* call this * *Agreement* but *a Treaty* and *Ceſſation of Armes*; which (I affirme) to be a League Defenſive and Offenſive againſt *Ormond*, *Iuchiquine*, and all that doe and ſhall uphold

* Let me not ſeem over-bold in maintaining a different opinion, ſince Parliaments are no more infallible than Popes; and all humane opinions are equall unleſſe Reaſon make the difference. I hope we have not loſt our Reaſon with our Lawes and Liberties, nor the exerciſe and uſe of it.

uphold Monarchy (if not Proteſtancy too) for theſe Reaſons: 1. Article ſecond ſaith, *That upon all occaſions both Parties be ready with their Forces to aſſiſt one another untill a more abſolute Agreement be made and condiſcended unto by the Parliament of* England. This is beyond a Ceſſation. 2. Article third, ſaith, *That the Creaghts of* Ulſter *reſiding within the Quarters of Col.* Monke, *ſhall pay Contribution to Generall* Owen Oneale. This is a Conceſſion of a great latitude farre beyond the authority of any ſubordinate Commander or Generall, and againſt the Lawes and Liberties of the Land *to grant Taxes.* It ſhould ſeem by this, that *Oneale* and his Army, were become Mercenaries, taken into pay by *Monke* 3. Article fourth, ſaith. *That if Generall* Owen Oneale *ſhall happen to fight againſt the Forces under the Command of the Marqueſſe of* Ormond, *the Lord* Inchiquine, *or any other Enemies of the Parliament of* England, *and thereby ſpend his Ammunition, if he be neer unto my Quarters, and be diſtreſſed for want of Ammunition, I ſhall then furniſh him.* This was actually performed when my Lord *Inchiquine* Beſieged *Dundalke.* I make the ſame interpretation of this Article that I have made of the third. 4. The fifth Article alloweth to *Oneale the uſe of any Harbours within Col.* Monkes *liberty*; which likewiſe is too much for a bare Ceſſation or Truce.

4. Who can believe that any ſubordinate Officer commiſſionated to proſecute a Warre againſt *Owen Roe* and the reſt in Armes in that Kingdome, ſhould dare to Treat and conclude an Agreement and conjunction with that very Enemy he had Commiſſion to fight againſt without the knowledge and Directions (publique or private) of thoſe from or under whom he hath his Authority; and ſhould be ſo bold when he had done to come over and juſtifie his ſaid doings, notwithſtanding they proved unproſperous? Col. *Monke* being ſo much a Souldier as to know, *That* (all the world over) *to exceed the bounds of his Commiſſion* (much more to act againſt his Commiſſion, as in this caſe) *is aſſured death without mercy, both by the Law Martiall,* (without which Military Diſcipline will periſh) *and by the Lawes of our Land.*

5. Wherefore was Sir *John Winter* and Sir *Kenelme Digby* ſent for over? (as was foretold by an intercepted Letter, where

See the ſaid *Letter* printed at the latter end of a *Relation of the ſecuring and ſecluding of the Members by the Army.*

of

of I have formerly ſpoken) and *O Realy* the Popes Iriſh Agent, and another Agent from *Owen Roe O Neale* privately entertained in *England* (as I have formerly hinted) but to drive on Treaties and Aſſociations of this nature? inſomuch that long ſince it was whiſpered amongſt *Cromwels* party in *England* (to uphold their Spirits) *That upon his ſhelving himſelfe in Armes in* Ireland, Ormonds *Catholique Iriſh party would all forſake him and go over to* O Neale, *who maintained the Popes Intereſt in that Kingdome.*

The aforeſaid Paper printed by Authority, and ſtiled, *The true State of the Tranſactions, &c.* beſides the ſaid *Articles of Ceſſation*, ſetteth downe other Articles, called. *Nota.*

The PROPOSITIONS of Generall *Owen O Noale*, the Lo:ds, Gentry, and Commons of the confederate Catholicks of *VLSTER*: To the moſt High and moſt Honourable, The PARLIAMENT of *ENGLAND*.

1. INprimis. *That ſuch as are already joyned, or ſhall within the ſpace of three Months joyne with Generall* Owen O Neale, *in the ſervice of the Parliament of* England, *in this Kingdome, as well Clergy as others, may have all Lawes and Penalties againſt their Religion and its Profeſſors, taken off by Act of Parliament, and that Act to extend to the ſaid Parties, their Heires and Succeſſors for ever, while they Loyally ſerve the Parliament of* England.

[*within the ſpace of three Months*] is not in the ſaid Copie printed at *Corke*.

2. *The ſaid Generall* O Neale *deſireth an Act of Oblivion to be paſſed, to extend to all and every of his Party, for all things done ſince the beginning of the Yeare,* 1641.

3. *They deſire that Generall* Owen O Neale *be provided with a Competent Command in the Army befitting his worth and quality.*

4. *They deſire that they may enjoy all the Lands that were, or ought to be in their, or their Anceſtors poſſeſſion.*

5. *That all incapacity, inability, and diſtruſt hitherto by Act of State, or otherwiſe, againſt the ſaid Party, be taken off.*

6. *That on both ſides all jealouſies, hate and averſion, be laid aſide: Vnity, love and amity, be renewed and practiſed between both Parties.*

7. *That Generall* Owen O Neale *may be reſtored and put in poſſeſſion of his* [a] *Succeſſors Eſtates, or ſome Eſtates equivalent to it in the Counties of* Tyrone, Ardmarch, *or* Londondery, *in regard of his merit, and the good ſervice that he ſhall performe in the Parliament of* Englands *Service, in the preſervation of their intereſt in this Kingdome.*

[a] *Anceſtors*, not *Succeſſours*: a fault of the Printers.

8. *That the Army belonging to Generall* Owen O Neale *and his Party be provided for, in all points as the reſt of the Army ſhall be.*

9. *That the ſaid Party be provided with, and poſſeſſed of a convenient Sea-port in the Province of* Ulſter.

I doe, upon receiving a confirmation of theſe Propoſitions, forthwith undertake and promiſe in behalfe of my ſelfe, and the whole Party under my Command, faithfully and firmely adhere to the Service of the Parliament of *England* in this Kingdome, and maintaine their Intereſt hereafter, with the hazard of our lives and fortunes:

In witneſſe whereof, I have hereunto put my Hand and Seale this 8. *day of* May, An. Dom. 1649.
Signed *Owen O Neale.*

Thus farre the ſaid Paper, ſtild, [*The true State, &c.*] goes on with the Relation of the ſaid Treaty and Agreement, but conceales what farther Tranſactions paſſed between *Monke* and *O Neale* upon the laſt recited Propoſitions; Wherefore I ſhall be bold to continue the Story out of a Paper, entituled, [*The Propoſitions of* Owen Roe O Neale *ſent to Col.* Monke, *and a Ceſſation*

The Story of the farther Tranſactions between *O Neale* and *Monke* continued and enlarged out of *the Propoſitions*, ptinted at *Corke.*

ſation for three Months concluded between them. Together with a Letter thereupon ſent by a Gentleman at Dundalke, *to his Friend at* Corke. *Printed at* Corke *1649.*] The laſt recited Propoſitions were ſent to *Monke*, 25. day of *April*, 1649. who peruſed them, and made ſome inconſiderable alterations in them, as appears by *Monkes* Letter of Anſwer thereupon to *Owen O Neale*, dated from *Dundalke*, 26. *April*, 1649. as I find it in the ſaid Paper printed at *Corke*, in theſe words:

SIR.

I Have received your of the 25. April, *and I have ſeen your Order given to Captain* Hugh Mac Patricke Mac Mahon *to Treat and Conclude a Peace with me in the behalfe of your ſelfe and the Forces under your Command. I have peruſed your Propoſitions, and conceiving there are ſome particulars in them which at firſt view the Parliament of* England *may ſcruple to graut, I have made a ſmall alteration in ſome of them, being well aſſured, by it, you will not receive the leaſt diſadvantage, but it will rather prove a meanes to beget an increaſe of their good opinion towards you and your Patry: which I believe your reality, fidelity, and action in their Service will ſufficiently merit, and in caſe you approve of them, as I have reviſed and altered them, I deſire you to ſend them to me Signed and Sealed by you, that I may preſent them to the Parliament of* England, *to obtaine their favourable Anſwer in returne of them: And in the meane time I deſire that according to this incloſed Paper, three Months Ceſſation between us be condiſcended unto, and inviolably kept between our Forces during the ſame time.*

Dundalke, 26. April, 1649.

Gorge Monke.

1. Obſervations upon *Monkes* Letter.

1. Col. *Monke* in his ſaid Letter to *O Neale*, 26. *April*, anſwereth him: 1. *That he had peruſed his Propoſition, and conceiving there are ſome Particulars which at firſt view the Parliament of* England *may ſcruple to grant, &c.* A gentle Phraſe to nouriſh hopes in *O Neale* even of obtaining all his Demands (if need be) upon debate and deliberation; though not at firſt view. *That he hath made a ſmall Alteration in ſome of them* (I confeſs very ſmall) *being will aſſured he ſhould not receive the leaſt diſadvantage by it, &c.* From whom had *Monke* this Aſſurance, unleſſe from thoſe Men by whoſe Authority and Directions (private or publique) he preſumed to Treat with that Enemy he was Commiſſioned to fight with, and whoſe Names he doth conceale? *That it* (yeilding to *Monks* amendments *would rather prove a meanes to beget an encreaſe of their* (the Parliaments) *good opinion of* Owen Roe O Neale *and his Party, &c.* It ſhould ſeem then the Parliament had entertained a good opinion of *O Neale* and his Party before hand; for every thing muſt have a being, before it can have an encreaſe of being. *In caſe you approve of them* (the amended Articles) *I deſire you to ſend them to me Signed and Sealed by you, that I may preſent them to the Parliament of* England *to obtain their favourable Anſwer in returne of them, &c.* You ſee all *Monke* did was in reference to the Parliaments ratification: and therefore reaſon tells us the Parliament was originally privie to the Treaty: It is not likely *Monke* ſhould Treat upon his owne head, and abruptly ſend the reſult of the Treaty to be confirmed by the Parliament without any warning foregoing to prepare them.

2. Obſervations upon the Propoſitions amended. See the ſaid Paper printed at *Cork*, eſpecially *Monkes* Letter.

O Neale ſent his Letter and Propoſitions to *Monke*, Dated 25. *April*, 1649. *Monke* anſwered his Letter and corrected *O Neales* Propoſitions the day after, being the 26. *April*.

And the laſt mentioned Propoſitions of Gen: *Owen O Neale, the Lords, Gentry and Commons of the Confederate Catholiques of Vlſter, &c.* as well as the firſt mentioned Articles *for* 3. *Months Ceſſation, &c.* beare Date 8. *May.* 1649. which I conceive to be the Date given them when they were ratified by the Parliament, or Councell of State. See the ſaid Paper, [*The true ſtate of the Tranſactions, &c.*] Then followes:

A ſecond Copie of *Owen Roe Oneales* Propoſitions as they were Corrected by Col. *Monke*, and ſent to *Oneale* to be ſubſcribed: And then ſent by *Monke* to the PARLIAMENT to be granted: as followeth *verbatim*. Paper printed at *Corke*.

1. INprimis. *That ſuch as ſhall joyne with Generall* O Neale *in the Service of the Parliament of* England *in this Kingdome, may have Liberty of Conſcience for themſelves and their Iſſue.*

2. *The ſaid Generall* O Neale *deſireth an Act of Oblivion be paſſed, to extend to all and every of his Party for all things done ſince the beginning of the Yeare,* 1641.

3. *They deſire that Generall* O Neale *be provided for a competent Command in the Army befitting his worth, place and quality.*

4. *They deſire that they may enjoy all thoſe Lands that were in their poſſeſſion at the beginning of this Warre for themſelves and Heyres during their fidelity to the Intereſt of* England.

5. *That all incapacity, inhability & diſtruſt hitherto by Act of State, or otherwiſe, againſt the ſaid Party, be taken off.*

6. *That on both ſides all Iealouſies, hate and averſion be laid aſide; unity, love, and amity, renewed and practiſed between both Parties.*

7. *That Gen.* O Neale *may be reſtored and put in poſſeſſion of his Anceſtors Eſtate, or ſome other Eſtate equivalent to it, in regard of his merit, and the good Service that he ſhall performe in the Parliament of* Englands *Service in the preſervation of their Intereſt in this Kingdome.*

8. *That the Army belonging to the Gen.* O Neale *and his Party be provided for in all poynts as the reſt of the Army ſhall be.*

9. *That the ſaid Party be provided with, and poſſeſſed of a convenient Sea-port in the Province of* Ulſter.

See the Date in *The true ſtate of Tranſactions, &c.* It ſeems to be 8. *May*, 1649.

And I doe, upon receiving a Confirmation of thoſe Deſires undertake and promiſe in the behalf of my ſelfe and the Whole Party under my Command, faithfully and firmly to adhere to the Parliament of *Englands* Service in this Kingdome, and to maintaine their Intereſt hereafter with the hazard of our Lives & Eſtates againſt all Oppoſers whatſoever.

Given under my Hand and Seale.

In the ſaid Paper, printed at *Corke*, is alſo contained. [*A Letter from a Gentleman in* Dundalke, *dated* 20. May, 1649.] which take here *verbatim*; that you may ſee what opinion Men there (upon the place) had of that buſineſſe

To my Worthy Friend, at *Corke* in *Munſter*.

SIR,

YOu may wonder my Obligations being ſo great towards you, that my returnes of acknowledgment ſhould be ſo ſeldome as they have been, bnt you muſt know there is no defect in my deſires to be at your eares often; 'tis onely the preſervation of my Liberty and Safety in theſe parts that makes me forberare the frequency of ſuch intercourſes. I am confident theſe Letters, this Meſſenger and the incloſed Papers, which I here ſend you, (containing a true Copie of the Propoſitions and Letters of Agreement between Owen Roe O Neale, *and Col.* George Monke) *will be able to give you ſome accompt of the paſſages in theſe parts, and will make you aſſured that I doe not forget the reſpects I owe unto you.*

I muſt confeſſe to you that (as you ever conceived) I never could imagine that the Parliament proceedings would have advanced to ſo high a degree of rage and wickedneſſe, as I ſee they are now come to, and are reſolved to act by: but being amazed at the KING'S Murther, and ſeeing the Gangrene doth ſo cruelly ſpread, I will impart to you my reſolution,

reſolution, That I am reſolved to get into your parts with the firſt conveniency, and adhere to you there, whoſe actions are more conducing to the preſervation of our Religion, Law, and Common Intereſt, than any where elſe, that I can find. But that this my ſo ſudden reſolution may not be conceived the fruit of ſome vaine feare, miſcarriage in my ſelf, or light deſires to abandon my former principles; I ſhall give you a right underſtanding of all the motions and paſſages of my ſoule, ſince I was acquainted with this late Treaty between Col. Monke, *and* Owen Roe O Neale, *that thereby you may judge of the ground of theſe my Deſignes and diſtaſts, and my reſolutions taken thereupon.*

And before I conſider the particulars of the Treaty, the thing it ſelfe is ſo odious unto me, that if they could have made the beſt bragaine to be imagined for the Engliſh Safety, the manner of it would have appeared to me very unſavory.

For although it cannot be denied that almoſt the whole Iriſh Party (in regard of their Confederacies, and Combinations) have not been innocent in all particulars of that vaſt Ocean of Engliſh Blood that hath been ſhed; yet it is moſt cleer that the Plotters and Contrivers of this Treaſon, and the unnaturall and butcherly Executioners thereof, are that Party principally, which are now Headed by Owen O Neale; *for, although many of the pale, with others of* Conaught, Leinſter, *and* Munſter *entertained the Deſign, when they ſaw it was ſo far ſpread, and the Engliſh ſo much weakned in their Perſons and Poſſeſſions, yet it cannot be denied but this Kingdome had ſtill many moderate-minded Men, that loathed their Country-mens barbarity, and could never be drawne to adhere to their Party in their leaſt conſent.*

Now for the Parliament Agents, to gather up theſe Men

(*and*

(and theſe onely) that have been drunke with the blood of their Brethren, and to fortifie them with Armes, Councels, and conjunction of Forces, that thereby they may preſerve to themſelves the Triumphs of their Cruelty and Treachery, and to lap them up in their affections with promiſes of reward, if they will perſevere to act with the ruine of the KING and Monarchy, the deſtruction of the remnant of the Engliſh Proteſtants, and the antient Iriſh who have now declared their Loyalty; and ſubmitted to, and conſociated with them, are things that I much loathe, and can no way imbrace.

Beſides, if you conſider the paſſages of the Treaty, you will eaſily be drawne (I ſuppoſe) to caſt away your former entertained ſcruples, and not condemne me for being out of love with mine.

1. *For firſt. The Title to* Owen Roes *Propoſitions excludes all other of his Nation but ſuch as will joyne with him, though they be farre more capable of Peace and Pardon than himſelf, or his Party.*

2. *He and his Party who in a late Paper of theirs, ſtiled the Parliament of England,* Monſtroſum Parliamentum, *(the monſtrous Parliament) when (as then) it had not beſmeared it ſelfe with Royall, Sacred, and Noble Blood, as ſince it hath done: yet now where he ſees them act like himſelfe, he hath taught his tongue to quaver, and calls them,* The moſt Honourable and potent Parliament; *when all Honour is perſecuted by them, and no power exerciſed by them but brutiſh violence, and extreame tyranny.*

3. *In the ſecond Propoſition: That an Act of Oblivion be paſſed to extend to all and every of* Owen O Neales *Party for all things done ſince the Yeare,* 1641. *You ſhall find that* Monke *approves of it totally, without the leaſt reſerve of puniſhment to any them oſt bloody Plotters and Murtherers*

Murtherers whatſoever that are in that Crew, *which makes me more in love with my Lord of* Ormonds *peace than I was before.*

4. *'Tis propounded by* Owen Roe; *and approved by* Monke, *That he ſhall have a Sea-port to himſelfe, to make uſe of, for the perfecting of his deſignes, when (as we heare) the leaſt Traffick will not be allowed to you in* Munſter.

5. *Although* Col. Munke *doe a little pare his Propoſitions concerning the Repealing of Statutes againſt Roman Catholiques ſince* Hen. 8. *leſt he ſhould offend the People: And though he doe not abſolutely undertake to grant him all his Anceſtors Lands (which when he is once ſtiled* O Neale, *he will challenge to be the ſix eſcheated* Counties) *yet by* Monkes *Letter he is aſſured, that he ſhall not receive the leaſt diſadvantage thereby. All which directions, Councels, and aſſurances (I am confident)* Col. Monke *would not have uſed towards him, if he had not had a Parliament-foundation to warrant it.*

Thus you ſee theſe Men who lately were utter Enemies, have confederated together to ruine Monarchy and the Proteſtant Religion, meerly to raiſe themſelves, and ſupport their owne Faction. They will not here allow the KING *to make uſe of His owne* Subjects *to revenge His Fathers blood, to Re-inthrone Himſelfe, to re-eſtabliſh Religion and the Lawes, and the juſt Liberties and yet they allow themſelves a latitude of calling in any Party, though the moſt blody and inhumane, to aſſiſt them, in the carrying on their wicked Deſignes.*

We have ſeen Col. Iones *his Letters, cenſuring the Lord of* Ormond *for joyning the Irish to his Party (though the beſt and leaſt culpable of them) and yet the ſame* Iones (*whoſe head and hand is in this Treaty and Concluſion*) *thinks it allowable in himſelfe to cloſe with the worſt, and that upon his owne termes. And though* Col. Monkes *hypocriſie (in Correcting* Owen O

Neales 7. *Article*) *will not allow that unity and amity shall be publickly proclaimed between them; yet he is willing it shall be practised, and they shall mutually assist one another against all Opposers whatsoever, that is, the* KING, *and all in Authority under Him.*

The consideration of these things hath left such an impression upon my soule, that I am resolved to make speed to you, no way desiring to live under their Commands, whose actions increase in horror, and beget new afflictions to all honest English hearts. So praying you to forbeare further writting to me, because I meane speedily to see you, I rest,

Dundalke, *May*, 20. 1649. Your assured Friend and Servant.

Upon which Propositions so corrected by *Monke*, & the close carriage of this businesse, I shall trouble my Reader with these following Observations.

1. *Article.* You see the Counterfeit, Alchymy Saints, are content to joyne covertly with Massacring, Irish Papists, to carry on their Antimonarchicall Designes: and to make a false Religion and corrupt worship of God the wages & hyre of righteousnesse.

2. *Article.* You see those Men that are so bloodily zealous to bring Protestant Delinquents (nay, the KING Himselfe, under the notion of *the Grand Delinquent, the Man of Blood*) to punishment, and pretend themselves engaged by Oath so to doe; can dispense with the Massacre of *two hundred thousand* English Protestants barbarously and inhumanely slaughtered in *Ireland* in time of full peace; and can grand an Act of

of Oblivion to whole Armies of their Murderers, thereby at once making their Antimonarchicall intereſt the price for which they ſell the innocent blood of their Brethren, and defrauding the Irish Adventuers of that Money which the Parliament perſwaded them to lay forth to purchaſe Rebells Lands in *Ireland*, for which they have an Act of this Seſſions of Parliament.

The like may be ſaid of the 4. & 7. *Articles*, whereby Rebels attainded and convict are reſtored to their confiſcated Lands, & the English Proteſtant Planters that purchaſed them of the Crowne, are expelled out of their Inheritance: what is this but a deſigne to root out Proteſtancy as well as Monarchy?

5. *Article.* Taketh off all Incapacity, Inhability, and diſtruſt from *O Neale* and his Party at that very time when with much counterfeit zeale they pretend great ſeverity againſt the English Papiſts: I think becauſe they are not ſo very Rebels as the Schiſmaticks.

3. According to their uſuall cuſtome, to accuſe other Men of their owne Crimes; they charged King CHARLES the Firſt, (upon light ſurmiſes) *with complying with the bloody Irish Papiſts*; & doe themſelves actually combine with them to root out Monarchy & Proteſtancy, giving them *a Toleration of their Religion, & the poſſeſſion of the English Proteſtants Eſtates for their Hyre.*

4. And it now appeares by Letters newly come to *London*, the 24. *Auguſt*, (notwithſtanding the ſaid Votes of the Commons *againſt all aſſociation with the Irish Murderers*) That *Sir* Charles Coote, *and* O Neale, *are aſſociated; and that the Siege from* Londonderry

See *The Perfect Occurrences*, nu. 138. from *Aug.* 17 to the 24. 1649.

was raiſed by O Neales *help* which plainly proves, that the Treaty and Conjunction was not onely between *Monke* & *O Neale*; but between *O Neale* & the Parliament, or Councel of State; and that the ſaid Propoſitions ſo altered by *Monke* are confirmed by the Parliament, or Councel of State; and doe ſtill ſerve for a foundation for *O Neale* to aſſiſt the Parliament upon, who have turned out *O Neale* at the Fore-dore (to gull the People) and taken him in againe at the Back-dore.

206. *Cromwell's* Soldiers deſert him ad *Milford-haven*: and upon his complaint, his Houſe of Commons vote their Debentures void.

Many of K. *Olivers* Officers and Souldiers, abhorring the ſaid Aſſociation with *O Neale*, deſerted him at *Milford-haven* (as I have related) & came to *London*, whither they were purſued at the heeles by a Letter from his Muſhrome Majeſtie, directed to his Vice-Royes at *Weſtminſter*, *willing his Parliament (that ſince to encourage the Souldiers to undertake the Irish expedition onely) their Accounts had been Audited, and Debentures granted for their Arreares, they ſhould recall and null their ſaid Debentures:* In obedience to which Command, a thing like an Act of Parliament is drawne up, and order taken that the Commiſſioners that attend *Cromwell* into *Ireland* ſhould certifie the Names of them all to the Parliament, that they may be puniſhed in purſe, for not proſtituting their Conſciences, and ſhedding more innocent blood, with an implicite faith and blind obedience, to K. *Olivers* unqueſtionable commands, in maintenance of uſurpation and lawleſſe tyranny. The reſt of the Army may ſee, by this precedent, they may as well hope to recover a damned Soule out of Hell, as their Arreares out of this bottomleſſe Gulph, the New State: (notwithſtanding all their faire promiſes

promiſes, Orders, weather-cock Acts, and Debentures; which are all written in waſtpaper, and as changeable as Tickets & Securities for the Publique Faith.) It being their conſtant reſolution and beſt policy to feed them (from time to time) with vaine hopes, & a little ſpending-mony (for which they are never the better) now a bit of mony, and then a bob of Martiall Law; & alwaies to promiſe, never to pay their Arreares; thereby to keep them together from Disbanding, and going to their owne homes and callings; whilſt the Councell of Officers (who onely are accounted the rational part of the Army) receive duely their full pay, and whatſoever elſe they can sharke from the private Souldiers, (who are looked upon but as the Brutish part of the Army) in whom it is become a capitall Crime to queſtion whether their Superiors deale juſtly with them or no? as it proved to *Lockyer*. The Common Souldiers, as well as the Common People, paying for the Ryot of their Colonels & ſuperior Officiers (who Lord it in their guilt Coaches, rich Apparell, coſtly Feaſtings, (though ſome of them led Dray-horſes, wore Leather-pelts, & were never able to name their owne Fathers or Mothers) I: and for the Lands they purchaſe too: yet the Officers have one device more to keep the Souldiers together, which is, They make them believe they are ſo generally hated they cannot with ſafety Diſband and goe home; whereas it is the Superiours onely that are looked upon with hatred as the Authors of Tyranny and Oppreſſion: The Private Souldier being eſteemed but their Inſtruments, and ſuch as (in their kind & way) are Sufferers under

the hand of oppreſſion, as well as other men; many Souldiers have been purged out of the Army; others have voluntarily quitted the Army and returned to their callings, without being endangered or injured after their retirement, which ſhewes this objection is but a Scarcrow.

207. A League Defenſive & Offenſive, concluded betweene *O Neale* & Sir *Charles Coote* Governour of *Connaught* for the Parliament: See the laſt Section ſave one.

For the cleare manifeſtation of the Aſſociation betweene *O Neale* and the Parliament, there are lately come to the Councell of State two Letters out of *Connaught* from Sir *Charls Coote*; one Dated the 14. the other the 15. of *Auguſt*, 1649. informing them with how much zeale to the Parliaments intereſt *Own O Neale* had freely raiſed the Siege of *London-Derry*. Upon which Letters, and the Votes and proceedings of Col. *Pride's* Parliament thereupon, I ſhall commend to my Readers obſervation theſe following particulars:

1. The 15. *Auguſt*, Letters informe, *that* O Neale *freely offered his aſſiſtance to* Coote, *profeſſing much affection to the Parliament of* England, *and an earneſt-deſire to maintaine their Intereſt, &c.* (which is, his owne intereſt) you may remember that this bloody Rebell *O Neale* heretofore (when the Parliament was not halfe ſo corrupt as now) ſtiled it, *Monſtroſum Parliamentum*, the Parliament of Monſters: but now that he ſees them act his way, and concurre with him to deſtroy Monarchy and Proteſtancy, he ſtiles them, *The Honourable Parliament*; aids, and aſſiſts them.

2. The 14. *Auguſt*, Sir *Charles Coote* informes, *that he hath found* O Neale *and his Army very punctuall and faithfull in all their Promiſes and Engagements and he makes no doubt*

doubt but they will continue ſo unto the end, &c. The reaſon is, becauſe they ayme all at one end & intereſt: Subverſion of Monarchy & Proteſtancy, & goe one way to effect it, by a Conjunction of Forces and Councels.

3. The 15. *Auguſt, that* O Neale *in his Expreſſe to* Coote *encloſed ſome Letters he had received from* Monke; *and amongſt the reſt, a Copie of a Letter from* Monke *in Anſwer to a Letter of the Lord* Inchiquine *charging* Monke *with joyning with* O Neale *and his Party; wherein* Monke *inſinuated, as if* O Neal's *ſubmiſſion to uſe the the Parliament Power, were already accepted by them, &c.* *Monke* needed non inſinuate it, but might have ſpoken it plainly: as he hath done to ſundry of his Friends in *England*, who reprehended him for joyning with *O Neale*, to whom he Anſwered, *that he had the Authority of his Superiours to warrant his doings therein:* But this was before he went to *Milford-haven* to *Cromwell*, who then taught him the art of Cromwellizing to carry on their deſigne.

4. The 15. *Auguſt*, *Coote's* Letter (to juſtifie his doings) delivers a piece of Doctrine to the Councell of State; the Uſe whereof they were very perfect in before, *viz. Calling to minde that it is no new thing, for the moſt wiſe God, to make uſe of wicked Inſtruments, to bring about a good Deſigne, for the advancement of his glory, &c.* This Caſuiſt in Buffe had forgotten, That we muſt not doe evill that good may come thereof; and that both the juſt and the unjuſt, the righteous and the unrighteous man being al of Gods Creation and making, he hath the ſame prerogative over them all *jure creationis*, that a Potter hath over his Pots,

Why did they crie out upon King *Charls* I. upon a ſurmiſe that He uſed the help of the more innocent Iriſh Papiſts, being His own Subjects under his Allegiance & Protection? but we find the Godly are above all Laws.

Pots, he may use them, and doe with them what seemeth best to his most holy will: and it is therefore good, holy, just, because he willeth it. His Divine pleasure being the rule and standard of goodnesse, holinesse, justice. Mistake me not; I doe not meane his bare providence, or permissive will, which no man can take notice of, and Traytors, Tyrants, Thieves, and Reprobate Saints execute, and boast of to their owne assured damnation. Therefore Gods employing wicked Instruments can be no president for our Alchimy Saints to doe the like; unlesse *Cromwells* three Iuntoes and faction, will usurp Gods prerogative, as they have done the Kings.

* Councell of Officiers, of State, and Parliament.

5. The 15. *August*, the Letter saith, *that* Coote *called a Councell of Warre, who resolved, It was better to accept of the assistance of those who proclaimed themselves Friends to us, and the Interest we fight for, &c.* Here you see *O Neale's* bloody Party & those Parliament Champions united, and friendly conspiring to uphold one Common Interest, which can be nothing but the downfall of Monarchy and Protestancy.

6. The 15. *August*, the Letter further saith, *that we* (Coote and his Councell of Warre) *added to the Articles this wary Proviso, not to use their assistance longer then the approbation of the State of* England *should go a long with us therein, &c.* It should seem by this warinesse, that for the time they had used their help, (which was ever since the 22. of *May* last) the approbation of the said State (as they call it) hath gone along therewith. And for the time they meane to use their assistance hereafter, it is left indefinite; (no longer then the approbation of the State shall goe along with us therein)

therein) which may happily be untill Domeſ-day: notwithſtanding the Order, Dated the 24. *Auguſt*, 1649. voting, *That their Vote of the* 10. Auguſt, *in the Caſe of* Col. Monke, *be communicated to* Sir Ch: Coote, *as the Reſolution of the Houſe, &c.* For, who knowes whether the Copies of that Vote may miſcarry, or be ſtayed by the way either accidentally or purpoſely.

7. The 14. *Auguſt*, the Letter ſaith, O Neale *was pleaſed to communicate to him certaine Propoſalls, which* (he ſaith) *were long ſince tranſmitted into* England *to the Parliament, by* C. Monke, *and though for his owne part and the prime Officers with him*, (theſe are privie to the ſecret carriage of the buſineſſe, and therefore may well be ſatisfied with what is done already) *they do not doubt but the Propoſalls are already yeilded to by the State; yet in regard their Army and Party in all other parts of the Kingdome* (theſe are ignorant of the juggle, and cauſes thereof) *cannot be ſatisfied therewith, untill the Parliament be pleaſed to declare themſelves more publiquely therein* (it ſhould ſeem they have done it privately already for ſatisfaction of *O Neale* and his ſaid prime Officers) *he hath therefore deſired me humbly to intreat your Lordships to declare your Reſolution therein, with as much ſpeed as may be.* Here yon ſee *O Neale* and his prime Officers (who know the juggle) ſatisfied already with a private confirmation of the Articles. But to ſatisfie the reſt of his Army and Party (to whom this myſtery is not yet revealed a publique Declaration thereof is deſired, *that they may Vnanimouſly and cheerfully endeavour the preſervation of the Parliaments Intereſt.*

See *Monke's* Letter of Anſwer to *Oneale*, Dated 26. *April*, 1649. from *Dondalke*, contained in the laſt foregoing Section but one: See the ſaid Paper, entituled, [*The Propoſitions* of Owen Roe O Neale, *ſent to* C. Monk, &c.] printed at *Corke* 1649.

The Articles of Agreement between *O Neale* and Coote conclude clearly a League or Warre Offenſive

and Defensive against the Enemies of both or either, untill a more absolute Agreement be made and condiscended unto by the Parliament of *England*. This more absolute Agreement is now in agitation, and private Directions sent to *Coote* how to behave himselfe in the Transaction thereof: See the 1. Vote, *die veneris*, 24. *August*, 1649. See the Relation of the Transactions between Sir *Charles Coote* and *Own Roe O Neale*, printed by Order, 28. *Aug.* 1649.

The Votes upon these Letters and Articles were two: Upon part, in the first Vote I have observed something already in the 6. branch of this Section, (*viz.*) *that their Votes of the* 10. Aug. *in Case of Col.* Monke *be communicated to* Coote; *and a Direction for him how to behave himselfe in the Transaction between him and* Own Roe O Neale; this Transaction is called in the Articles (*ut supra*) *a more absolute Agreement*. These Letters, Articles, and Votes being Apologetically published for satisfaction of the Souldiery and People; it had been fit to have communicated the said Directions also to their Trustors and Soveraigne Lords the People, that they might have seen faire play above board, and not to have sent clandestine Directions to *Coote* (in so suspitious a busines) how to behave himself in the Transaction with *O Neale*; which implies the said Transaction shal be continued and may be compleated; the rather for that their second Vote saith, *The House is well satisfied of the diligence, faithfulnesse, and integrity of* Sir Charles Coote *in preserving the Garrison of* London Derry: now it was preserved by his said Conjunction with *O Neale*, who raised the Siege.

About

208. The Levellors vindicated: or, The Caſe of the twelve Troops, &c.

About this time came forth a Booke, called, [*The Levellors vindicated: or, The Caſe of the* 12. *Troops which* (*by Treachery in a Treaty*) *were lately ſurprized at* Burford: *Subſcribed by Six Officers in the name of many more.*] Wherein (p. 2.) they ſay, *That under colour of the Armies ſolemne Engagement at* New-market *and* Triplo-heath, Iune 5. 1647. *and many other their Declarations, Promiſes, and Proteſtations in purſuance thereof,* (which Engagement they affirme (againſt their Preaching Coronet *Denne*) was never retracted by any Generall Councell of the Army, nor upon any Petition of the Souldiers, nor their Agitators ever by them recalled or diſmiſſed) *The whole fabrik of this Common-wealth is fallen into the groſſeſt and vileſt Tyranny that ever English-men groaned under, all their Laws, Rights, Lives, Liberties and Proporties wholly ſubdued to the boundleſſe wills of ſome deceitfull Perſons, having devolved the whole Magiſtracy of* England *into their Martiall Domination, &c.*

Pag. 7. They ſay, *That the Souldiers Paper-Debentures are good for nothing but to ſell to Parliament-men for* 3. *or* 4. *in the pound.* (which they are forced to ſell them for to keep them from ſtarving, becauſe they will not pay one penny Arreares to ſuch as they put out of the Army any other waies) that ſo they may rob the Souldiers of their Seven yeares Service, and make themſelves and their Adherents Purchaſers of the Kings Lands, for little or nothing: and (for ought appeares) the Money they buy theſe Debentures with, is the Money the Nation can have no Account of. That they have dealt as baſely with other Souldiers who never reſiſted their Commands. 1. They turned them off with onely two months pay. 2. They

have taken away three parts of their Arreares for Free-quater, without ſatisfaction to the Country. And at laſt force them to ſell their Debentures at the aforeſaid rates, that thoſe Souldiers that are continued in Armes ſhall fare no better, when they have ſerved their turnes, with them.

Pag. 10 they ſay, *Their engagements againſt the King was not out of any* Perſonall *enmity, but ſimply againſt his Oppreſſions and* Tyranny *on the* People; *but the uſe and advantage on all the ſucceſſe God hath been pleaſed to give us, is perverted to that end, That by His removall the Ruling Sword men might intrude into His Throne, ſet up a Martiall Monarchy, more cruell, arbitrary, and tyrannicall, than* England *ever taſted of; & that under the notion of a Free-State, when as the* People *had no ſhare at all in the conſtitution thereof, but by the treachery and falſneſſe of the Lieutenant Generall* Cromwell, *and his Son-in-Law* Ireton, *with their Faction, was inforced and obtruded by meer* Conqueſt *on the* People. And a little after, *now rather then to be thus vaſſallized, thus trampled and trod under foot by ſuch as over our backs have ſtepped into the* Chaire *of this hatefull Kingſhip over us, in deſpight of the conſent, choice, and allowance of the Free-*People *of this Land (the true fountaine and originall of all juſt* Power (as their owne Votes againſt Kingly Government confeſſe) *we will chuſe ſubjection to the* PRINCE, *chuſing rather ten thouſand times to be His* Slaves *than theirs, &c.*

Pag. 11. They Vote and Declare, *The* People *the* Supreme Power, *the Originall of all juſt Authority, pretend the promotion of the Agreement of the* People; *ſtile this, The firſt yeare of* Englands *Freedome; entitle the Government, A Free* State; *and yet none more bloody, violent, and perverſe Enemies thereto: for, not under paines of death and confiſcation of Lands*

and

and Goods, may any man challenge or promote thoſe Rights of the Nation, ſo lately pretended by themſelves. Nothing but their boundleſſe, lawleſſe wills, their naked Swords, *Armies, Armes is now Law in* England, *&c.*

209. Col *Morrice* Governour of *Pontefract* for the King, Endicted at the Aſſizes at *York*, condemned, and executed.

16. *Auguſt*, 1649. Col. *Morrcie* (who kept *Pontefract-Caſtle* for the KING) was Endicted before Iudge *Thorpe* and *Pulleſton* at *Yorke* Aſſizes upon the *Stat.* 25. *Edw.* 3. *for leavying Warre againſt the late King and Parliament.* The Colonel challenged one *Brooke* (Fore-man of the Iury) for being his profeſſed Enemy; but the Court (knowing *Brooke* to be the principall Verbe, the Key of their worke) anſwered *Morrice*, He ſpake too late, *Brooke* was ſworne already. *Brooke* being asked the Queſtion, Whether he were ſworne or no? replied, He had not yet kiſſed the Booke. The Court anſwered, It was no matter, that was but a Ceremony: alleaging, he was recorded Sworne, there was no ſpeaking againſt a Record: Sure they made great haſte to record him ſworne before he could kiſſe the Booke: ſo *Brooke* was kept in upon this cavill; by whoſe obſtinacy, *Morrice* was condemned. I cannot wonder that legall Formes & Ceremonies are laid by (although juſtice cannot ſubſiſt without thoſe Legalities to aſcertaine her proceedings, which otherwaies would be left at large to the diſcretion of the Iudge) when I ſee our knowne Lawes, *Magna Charta*, *the Petition of Right*, 3. *Carol.* and the reſt, with the fundamentall Government of this Nation, pulled up by the roots to carry on their Deſignes of enſlaving the People to their luſts, notwithſtanding the Parliaments Declarations, Remonſtrances, Proteſtations, Covenants, & Oathes to the

contrary: and their late Vote in the Act for Aboliſhing Kingly Government. That in all things concerning the Lives, Liberties, Properties and Eſtates of the People they would obſerve the knowne Lawes of the Land. But to returne to our Relation: Then *Morrice* challenged 16. more of the Iury; whereat *Pulleſton* was ſo pettish, that he bade *Morrice* keep his compaſſe, or elſe he would give him ſuch a blow as ſhould ſtrike off his head. Untill *Morrice* cited the *Stat.* 14, *Hen.* 7. *fol.* 19. whereby he might challenge 35. men without ſhewing cauſe: Here you ſee the Iudges (which ought to be of Councell with the Priſoner in matter of Law) endeavouring to out-face and blind the Priſoner with ignorance of the Law, being a Martiall Man. Then he deſired a Copie of his *Endictment*, that he might know what to anſwer; ſaying, he might plead Speciall as well as Generall; which the Court denied him. Next, becauſe there was point of Law in it, he deſired to have Councell, citing the *Stat.* 1. *Hen.* 7. *fol.* 23. which was likewiſe denied him; yet (I am deceived, if *Rolfe* had not Councell allowed him, being endicted at *Wincheſter* for *an endeavour to Murder* KING *CHARLES the Firſt*, and had many other favours denyed to *Morrice.*) Then Col. *Morrice* for his diſcharge produced the PRINCE's Commiſſion as *Generaliſſimo* to the KING his Father. The Iudges anſwered, The Prince was but a Subject as *Morrice* was, and if He were preſent muſt be tried as he was; and rejected the Commiſſion without reading: *Morrice* told them, the Prince had His Authority from the King, in whoſe name all Iudges & Officers did then Act. The Court Anſwered, the

the power was not in the King, but the Kingdome. Obſerve, they endicted him for Leavying Warre againſt the King and Parliament. The word [*Parliament*] was a ſurpluſage; for which no Indictment could lie: no Allegiance, no Treaſon; and we owe Allegiance to the King alone; whoſoever Leavyeth Warre in *England* (in the intendment of the Law) is ſaid to Leavy Warre againſt the King onely: although he ayme not at His Perſon, but at ſome other Perſon: And if he that Leavyeth Warre againſt the King. His Crowne, & Dignity, be a Traitour; how much more muſt they be Traitours that have actually Murdered the King, and Diſ-inherited and proſcribed his lawfull and undoubted Heire; and (as much as in them lies) have ſubverted the Monarchicall Government of the Land, and conſequently, all Monarchicall Lawes; whereof the *Stat.* of *Treaſons* for Leavying Warre againſt the Kings Majeſty is one; and therefore *Morrice* under a Free-State ought not to be condemned or tried upon any Monarchicall Law. So *Morrice* was found guilty by a Iury for that purpoſe. And an illegall preſident begun to cut off whom the Faction pleaſeth, under a pretence & forme of Law, without help of a Councell of Warre, or a private Slaughter-houſe, or a Midnight-Coach guarded with Souldiers to *Tyborne*. Theſe Uſurpers have got the old tyrannicall trick, *To rule the People by the Lawes, but firſt to over-rule the Lawes by their Lawyers*; and therefore, *Vt rei innocentes pereant, fiunt nocentes judices*; that true men may goe to the gallowes, Thieves muſt ſit on the bench; but, *ſilent Leges inter arma*; and now, *ſilet Iuſtitia inter Leges, ſilet Ius inter Iudices*: the mungrell, hypocri-

Three-headed, conſiſting of,
1. Councell of Warre.
2. Councell of State.
3. Parliament.

pocriticall, three-headed conqueſt we live under hath diſpoiled juſtice of her ballance, and left her in a Military poſture, with a Sword to ſtrike; but no ſcales to weigh withall: Our licenced News-Books (like Ill-Boading-Birds) fore-told and fore-judged *Morrice's* death a Month before, *He died reſolutely.* Obſerve the thing aimed at in this new forme of Endictment of High Treaſon, for leavying warre againſt the King and Parliament, is, firſt that the word [*King*] may hold in the Edictment, which otherwiſe would be found to have errour in it; and though the word [*for Leavying Warre againſt the Parliament*] be a vaine ſurpluſage, ſignifying nothing; yet at laſt (by help of their owne Iudges, & new-made preſidents) to leavy warre againſt the Parliament, ſhall ſtand alone, be the onely Significator, and take up the whole roome in the Edictment, and thruſt the word [*King*] out of dores and then *Treaſon* ſhall be as frequent as *Malignancy* is now. *Morrice* had moved, he might be *Tryed* like a Soldier by a Councell of Warre, alleaging the inconvenience of ſuch a preſident if the Kings Party ſhould retaliate it, which would not be granted; yet Col. *Bethel* writ to the Generall and his Councell of Warre, deſiring he might be reprieved: but Col. *Pride* oppoſed it; urging, *That it would not ſtand with the juſtice of the Army,* (you ſee now who is the fountaine of Iuſtice) *nor the ſafety of the Common-wealth, to let ſuch Enemies live, the Parliament having adjudged him worthy of death,* (without hearing) *and given inſtructions to the Iudges accordingly.* (O ſerviceable Iudges!) ſo the Generall was overborne by this Dray-man. This fellow ſitteth frequently at the Seſſions-houſe in the *Old Bayly,*

Bayly, where the weight of his Slings turneth the ſcale of Iuſtice which way he pleaſeth.

Col. *Prides's* Dray-horſes, the Commons in Parliament aſſembled, not yet ſatisfied with Blood, becauſe they are out of danger of bleeding themſelves; have Voted that Capt. *Plunkett* and the Marqueſſe of of *Ormond's* Brother (Priſoners in *Ireland*) ſhall be brought to *Tryall*. If the King's Party (in imitation of their Cruelty) ſhall put to death the Priſoners they have taken, the Parliament will ſave their Arreares for their owne privy purſe; *Theſe two caſes, are examples of the greateſt danger, and the higheſt contempt of Souldiers that ever were ſet on foot in any Age or Nation.*

210. Capt. *Plunkett* and the Marqueſſe of *Ormonds* Brother voted to be Tryed.

29. *Auguſt*, 1649. came forth a Booke, called, [*An outcrie of the young Men and Apprentiſes of* London: *Or, An Inquiſition after the loſt fundamentall Lawes and Liberties of* England.] truly & Pathetically ſetting forth the ſlavery, miſery, & danger of the Common Souldiery & People of this Nation, and the cauſes thereof: well worth the reading.

211. An Our crie of the young Men and Apprentiſes *London* conеurring with thoſe falſly called, Levellors.

About this time came forth an Act (for ſooth) for the ſpeedy raiſing and leavying money upon the Exciſe: that is (as the Act telleth you) upon all and every Commodities, Merchandizes, Manufactures, as well imported or exported as made or growing, and put to ſale or conſumed, &c. That is, to lay impoſitions upon all we eate, drinke, weare or uſe, as well in private houſes as victualling houſes, ware-houſes, cellars, ſhops, &c. as well what the Souldier devoures in Free-quarter upon us, as otherwiſe, under unheard-of penalties both pecuniary and perſonall to be paid; and leavied with rigor. And to make every

212. Exciſe.

mans houſe lie open to be ſearched by every prowling Raſcall as often as he or they pleaſe.

213. Foraigne Plantations.

The Traytors, Tyrants, and Thieves, the Commons in Colonel *Prides* Parliament aſſembled, are now againe frighted into a conſideration of Foraigne Plantations: And paſſing Acts, *That they ſhall all be ſubject to the new* Babel, *or State of* England: for which purpoſe they are very buſie to undermine, devide, and ſubject the old and firſt Planters, that (if need be) theſe reprobate Saints may come in upon their labors, & the better to accommodate themſelves there. In the Act for ſale of the Kings, Queens, and Princes perſonall Eſtate, they have given leave to their Agents the Commiſſioners to tranſport beyond ſea (that is to ſay, to their owne Plantations) (under pretence of ſale) the rareſt and choiceſt of the Kings Gods; they heap up abundance of wealth by Exciſe, Taxes, Goldſmiths-hall, Haberdashers-hall, Sequeſtrations, couſening the Souldiers, &c. That they may tranſport the whole wealth of the Land with them, and leave *England* naked, diſarmed and oppreſſed with famine, and diſabled to purſue them for revenge, or recovery of their loſſes.

214. More Guifts to the Faction.

The ſaid Commons are never wearied with exerciſing their bounty amongſt their owne Faction out of the publique purſe, about 1300l. to Col. *Fielder*: to *Scobell* their Clerke (heretofore a poore under-Clerke in the Chauncery, who writ for 2d. a sheet) beſides an employment he hath already in the ſale of publique Lands worth 1000l. a yeare) a Penſion of 500l. a yeare; and a Noble Fee for every Copie of an Order taken forth, *toties quoties*; although moſt of

their

their Orders containe not above three or four lines; an extortion farre ſurmounting the Starre Chamber, or Councell Table, of which themſelves ſo much complained: the *Diurnall* tells you, *an Act was read for ſatisfying the ſufferings of two Members, who have been in the late Warre damnified many thouſands*: theſe (I conceive) to be Sir *Tho: Ierrys* and Mr. *Robert Wallope*; this ſatisfaction muſt be made out of the publique purſe, which muſt be filled by *Taxes* againe out of their private purſes who have loſt as well as they without ſatisfaction, or hopes of ſatisfaction, notwithſtanding many Votes that all ſhould be ſatisfied.

Numb. 319. from Monday, *Sept.* 3. to Monday, *Sept.* 10.

215. *O Cromwell* reduceth *Iones* own Regiment and other Regiments in *Dublin*. Let Sir *C. Coote* and his Regiment in *London-derry* expect the like.

O Cromwell hath reduced the Officers in Col. *Jones* his Regiment, and other *Dublin* Regiments, notwithſtanding their valour & fidelity ſhewne in raiſing the Siege of *Dublin*: you ſee he will truſt none but his owne immediate Creatures: this Faction caſts out all other men, as Quickſilver ſpues out all other mettals (Gold excepted) ſo that by this, and many other examples, they may ſee that all their faithfull ſervices and bloodſhed are poured into the bottomleſſe tub of oblivion; as their Arreares are caſt into the bottomleſſe bagge of the Publique faith.

216. A violent irruption of the Parl: Ianiſaries upon the Proteſtants at Church in St. *Peters Pauls-wharfe*, Sunday morne, 9. *Sept.* 1649.

Sunday 9. *Sept.* 1649. At the Church of Saint *Peters Pauls-wharfe*, Maſter *Williams* reading Morning Service out of the Booke of Common-prayer, and having, prayed for the KING, as in that Liturgy (eſtabliſhed by Act of Parliament) he is enjoyned: Six Souldiers from Saint *Pauls* Church (where they quarter) came with Swords and Piſtols cocked into the Church, commanding him to come downe out of the Pulpit; which *Williams* immediately did, & went

quietly with them into the Veſtry: when preſently a party of Horſe from Saint *Pauls* rode into the ſaid Church with Swords drawne and Piſtols ſpanned, crying out, *Knock the Rogues on the Head, ſhoot them, kill them*; and preſently ſhot at randome at the crowd of unarmed Men, Women, and Children, ſhot an old Woman into the head, wounded grievouſly above forty more, whereof many are likely to die, frighted Women with Child, and rifled and plundred away their cloaks, hats, and other ſpoiles of the Ægyptians, and carried away the Miniſter to *White-hall* Priſoner. You ſee theſe Hereticks Schiſmaticks, and Atheiſts that crie ſo loudly upon *Liberty of Conſcience* for their owne Blaſphemies, will allow no Liberty of Conſcience to Proteſtants, notwithſtanding their Doctrine and form of Service is antient, allowed, and commanded by known Lawes, and approved of by all the Reformed Churches of Chriſtendome. This ſtrongly argues a Deſigne in the three Kinghdomes to root out Proteſtancy, as well as Monarchy, carried on by a conjunction of Councels and Forces between that triumvirate of Rebells, *O Neale, O Cromwell*, and (as many wiſe men thinke) *Argyle*: who would not otherwiſe keep the Scots from complying with the KING upon modeſt and moderate termes, ſuch as ſhall leave him in the condition of a Governing King able to protect His People from injuries at home and abroad, without which, He is but——*magni nominis umbra*, the ſhadow and May-game of a King.

This Mutiny was not begun by Levellors.

Obſerve, this provocation was put upon the City when an artificiall Mutiny was raiſed at *Oxford*; and againſt the Great Horſe-race appointed to be at *Brackly*,

Brackley, the 11. *September*, to draw both City and Country to joyne with the Mutineers: and then the Souldiers should have made their peace by themſelves, and have left the reſt to the mercy of the State to raiſe more money upon them for *O Cromwells* expedition in *Ireland*, who hath writ for more recruits of Men and Money.

217. *O Cromwell's* Men ſick in *Ireland.*

Thoſe bloody Saints that accompanied *O Cromwell* into *Ireland* (to make that Kingdome as miſerable & ſlavish as they have made this) doe now poure forth the blood of their owne bowels in great abundance: Gods vengeance having viſited moſt of them with the Bloody flux; whereof many die: But this is a ſecret that muſt not be knowne to the Ungodly, and therefore *O Cromwell* and his Councell of Warre at *Dublin* have made an Order, Declaring, *That if any Perſon reſiding within the Garriſon of* Dublin, *whether Inhabitants or Soldiers, ſhall (upon pretence of writing to their Freinds) ſignifie the* Tranſactions *of their Army* (between *O Neale*, and *O Cromwell*, it may be) *or their Engagements with the Enemy, ſo as to ſet forth their Succeſſe, or Loſſe, untill firſt the Generall or Councell of Warre have ſignified* (falſified) *the ſame to his* Parliament *of* England, *they ſhall incurre the breach of the Article againſt Spies, and be accordingly puniſhed with Death, &c.* Here you ſee *O Cromwell*, in the firſt Yeare; nay in the firſt Month of his reigne, ſets up a military tyranny in *Ireland*, to which all People, as wel not Souldiers as Souldiers muſt ſubmit their lives & fortunes; & the writing of news to their Friends in *England* (whereby their Lies & Forgeries may chance to be cõtradicted) ſhall be conſtrued to be a Breach of the Article againſt Spies: not becauſe Reaſon & Truth, or

the Cuſtomes of Warre calls it ſo, but becauſe the Sword puts this conſtruction upon it. Take notice *Ireland* that this is the firſt yeare of thy Bondage if they prevaile. And take notice *England* that *O Cromwell* and his Councell and Party are reſolved to Lie without controule if they prevaile not; their Letters ſpeake him to be 15000. ſtrong before *Tredah*, which hath Articled to yeild: That the next he will vouchſafe is *Dundalke*. and that *Ormond* flies from the face of this *Joſua*; and Lying Prophets are ſent over to gull the People into a beliefe. But the truth is, he is not able to draw together above 4000. or 5000. men; unleſſe his Confederate *O Neale* joyne with him: And *Ormond* hath wit enough to know that ſickeneſſe and famine in that waſted Country, are ſufficient to deale with *O Cromwell* without his running the hazard of an engagement with ſuch deſperate forlorne Wretches.

218. Vnreaſonable Fees extorded by *Birckhead* by Dures of Impriſonment; with the connivance of the Commons.

Col. *Bromfield*, *Hooker*, *Cox*, and *Baynes*, Citizens, who the laſt yeare were committed upon ſuſpition of High Treaſon (to which every offence againſt this new *Babel-ſtate* is now wreſted (notwithſtanding the *Stat.* 25. *Edw.* 3. for limitation of Treaſons) as in an infectious ſeaſon all diſeaſes turne to the plague) and were then diſcharged for want of matter to make good the charge: are now againe impriſoned (in the firſt yeare of *Englands* Liberty) at the requeſt of *Birkhead* (Sergeant at Armes to the Commons) untill they pay ſuch unreaſonable Fees as he pleaſes to exact from them: This had been great Extortion and Tyranny in the KING's time, when this Nation enjoyed ſo much freedome as to call a Spade, a Spade; an Extortioner, an Extortioner; & a Tyrant, a Tyrant. And reaſon good: for if ſuch Fees be legally

gally due, *Birkhead* hath Legall meanes to recover them: if not Legally due, it is Extortion in him to demand them in ſo violent a way; and Tyranny in his Maſters the Commons to maintaine him in it.

219. Sir *Har. Mildmay's* Politicke Obſervations: Chaſte Converſation: and firſt initiation at Court.

Sir *Henry Mildmay* lately comming to the Tower, and perceiving the Counteſſe of *Carliſles* window had ſome proſpect to Col. *Lylbornes* grates, (out of his paraſitical diligence) told the Lieutenant of the Tower, *That notwithſtanding the diſtance was ſuch as they could not communicate by ſpeech, yet they might ſignifie their intentions, by ſignes upon their fingers, to the prejudice of the tender, infant State:* and accompanying this admonition with ſome grave and politick Nods, haſted away to the Councell of State, and (being both out of breath and ſenſe) unloaded himſelf of his Obſervations there: and was ſeconded by *Tho: Scot* (the Demoliſher of old Palaces, and Deflowrer of young Maydenheads, before they are ripe) who much aggravated the danger, and applauded the Obſervator. Sure Sir *Henry* hath not yet forgot the bawdy Language of the hand and fingers; ſince he firſt, in Court began, to be Ambaſſadour of Love, Procuror, Pimp or Pandor to the Duke of *Buckingham*; and laboured to betray the honour of a faire Lady (his neareſt Ally) to his Luſt, had not she been as Virtuous as he is Vitious, (if it be poſſible for any Woman to be ſo) and did actually betray others to him. I can tell you that very lately Sir *Harry* (pretending himſelfe taken with the Windcollick) got an opportunity to inſinuate himſelfe into a Citizens houſe in *Cheapſide*, and tempted his Wife; but had a ſhamefull repulſe: but more of this I will not ſpeake, leſt his Wife beat him, and give an ill example to other Women, to the prejudice of our other

other New States-men, & their New erected *Sodomes* and *Spintries* at the Mulbury-garden at Saint *Jame's*.

220. Felons fetched out of *Newgate* to informe againſt Merchants for not paying Cuſtomes.

Maſter *Gybs* (Maſter of a Ship) having cauſed three Fellowes to be committed to *Newgate* upon Felony, for Robbing him: Theſe Fellowes ſent to Col. *Harvey*, *That if he would procure their Liberty, they would diſcover to him ſeverall Merchants who had lately ſtolne Cuſtomes*: Whereupon, *Harvey* ſends for thoſe Rogues out of *Newgate*, heares their Accuſation, approves it, proſecutes the Merchants upon the Information of thoſe Villaines, diſcharges them of their Impriſonment by his own power, and recommends them to Col. *Deane* to be employed in the Navie. And one Maſter *Lovell*, a Silk-man in Saint *Lawrence-lane*, is committed to the *Gate-houſe* Priſoner, becauſe he refuſeth to Sweare how many Bayles of Silke he hath come over: if the Firſt yeare of our Liberty make ſuch preſidents, what Monſters will the Sixt and Seventh yeare produce? All Princes begin with moderation; the Elders gave good Counſell to *Rehoboam*, *Serve the People one day, and they will ſerve thee for ever hereafter*. *Nero* had a commendable *Quinquennium*; but our Novice Statiſts are Tyrants *ab incunabilis*; Oppreſſors with ſhells upon their heads, from the Neſt, before they are fledged; what will they be hereafter?

221. *Sommer-hill* given to *Bradſhaw*. A ſop for *Cerberus*.

Sommer-hill: a pleaſant Seat, worth 1000l. a yeare, belonging to the Earle of Saint *Albans*, is given by the Iunto to their Bloud-hound *Bradſhaw*, ſo he hath warned the Counteſſe of *Leiceſter*, (who formerly had it in poſſeſſion to raiſe a Debt of 3000l. pretended due to her from the ſaid Earle; which ſhe hath already raiſed fower-fold) to quit the poſſeſſion againſt our *Lady-day* next.

THE END.

An Exhortatory Concluſion to the English Nation.

TO conclude the ſeries of Affaires and Action on both Parties (eſpecially of late) rightly compared, it appeareth by the ſequell, That KING CHARLES the Firſt, from the beginning took up Defenſive Armes to maintaine Religion, Lawes, Liberties, and the Antient fundamentall being of Parliaments, and this Kingdome; and that there alwaies was, and now eſpecially is, a predominant Faction in Parliament (notwithſtanding their frequent Declarations, Remonſtrances, Petitions, Proteſtations, Covenant, and votes to the contrary) conſpiring with a Party (eſpecially of Commiſſioned Officers of the Army) without the Houſes, to Change the Fundamentall Lawes and Government of the Church and Common-wealth, to uſurp into a few hands the Supreme Authority, to enſlave the People with an Oligarchicall, Military, and Arbitrary Government, to raiſe what illegall Taxes they pleaſe, to eſtablish their tyranny and enrich themſelves and their Party, to oppreſſe, conſume and devoure all Men, of a judgement contrary to their Intereſt; to Murder them by new-declared arbitrary Treaſons, contrary to the *Stat. 25. Edw. 3.* for aſcertaining Treaſons; to Diſfranchiſe them of their Birth-rights, and make them *Adſcriptios Glebæ*, Villaines Regardante to their owne Lands, which the Nobility, Gentry, and Yeomanry plough, ſowe, and reap, whilſt Brewers, Draymen, & Coblers, eate, drinke, and play upon the ſweat of their labours; and are the Uſufructuaries of their Eſtates. All which they have lately brought to paſſe; wherefore let all true English-men (as becomes good Chriſtians,

Compare the Date of the K. Commiſſions with thoſe of the Parliament, and their Declarations on boih ſides.

good

good Patriots, and gallant Men) claime their Birth-rights; and with one voice crie out.

1. *We will not Change our Antient, setled and well approved Lawes to which we are sworne.*

2. *We will not Change our Antient and well-tempered Monarchy to which we are Sworne.*

3. *We will not Change our old Religion for New Lights and inventions.*

4. *We will not subject our selves to an eight part of one Estate or House of Parliament, sitting under a force, and having expelled two hundred and fifty of their Fellowes (more Righteous then themselves) by force, and usurping to themselves the Supreme Authority.*

5. *We will not be subjected to a new Supreme Authority usurped by forty ambitious, coveteous Tyrants, arrogating to themselves to be a Councell of State, and designed to supply the roome of Parliaments, under what name or title soever they shall maske themselves.*

6. *We will not submit our selves to a Military Government, or Conncell of Officers.*

See the Stat. of Recognition, 1. *Iac.* and the Oathes of Allegiance, Obedence, and Supremacy.

7. *We must and will have* A KING, *and* The KING *whom the Lawes of God and this Land have Designed to us, we being by the Oathes of Allegiance, Obedience, and Supremacy sworne to beare faith and true Allegiance to* KING CHARLES *the First his lawfull Heyres and Successors.*

Hic telum infigam, moriarque in vulnere ------

POSTSCRIPT.

READer, at the latter end of my First part of *The History of Independency*, I have presented to thy consideration, some Generall Conclusions arising out of the Premises: the same Conclusions doe as naturally arise out of the Premises of this Second part of the History: and doe as aptly serve to illustrate this Second, as that First part; wherefore to that First part I send thee for opening thy understanding.

When our old Lawes run againe into their Antient Channell, and the Sword of Murder is sheathed, and the Sword of Justice drawne, the Author engageth to publish his Name & Apologie, and shew what he hath done and suffered for the Parliament and Kingdome.

THE END.